

No. 25-459

In the Supreme Court of the United States

MICHAEL SALAZAR,

Petitioner,

v.

PARAMOUNT GLOBAL, DBA 247SPORTS,

Respondent.

**On Writ of Certiorari To The United States
Court of Appeals For The Sixth Circuit**

**BRIEF OF THE RETAIL LITIGATION CENTER
AS AMICUS CURIAE IN SUPPORT OF
RESPONDENT**

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INTEREST OF AMICUS CURIAE

The Retail Litigation Center, Inc. (“RLC”) is a 501(c)(6) nonprofit trade association that represents national and regional retailers, including many of the country’s largest and most innovative retailers, across a breadth of retail verticals. The RLC is the only trade organization solely dedicated to representing the retail industry in the courts. The RLC’s members employ millions of people throughout the United States, provide goods and services to tens of millions more, and account for hundreds of billions of dollars in annual sales. The RLC offers retail-industry perspectives to courts on important legal issues and highlights the industry-wide consequences of significant cases. Since its founding in 2010, the RLC has filed more than 250 amicus briefs on issues of importance to the retail industry. Its amicus briefs have been helpful to courts throughout the United States, as evidenced by citation to those briefs in numerous precedential opinions. See, e.g., *South Dakota v. Wayfair, Inc.*, 585 U.S. 162, 184 (2018); *Kirtsaeng v. John Wiley & Sons, Inc.*, 568 U.S. 519, 542-43 (2013); *Chewy, Inc. v. U.S. Dep’t of Lab.*, 69 F.4th 773, 777-78 (11th Cir. 2023); *State v. Welch*, 595 S.W.3d 615, 630 (Tenn. 2020).¹

The RLC and its members have a significant interest in the outcome of this case. Virtually every major retailer has a website, and virtually every one of those websites provides audiovisual content that is freely available to visitors to the website. Customers

¹ No persons or entities other than *amicus*, its members, or its counsel authored this brief, in whole or in part, or made a monetary contribution to this brief’s preparation or submission.

value and seek out such content, which can be accessed without a subscription, signing up, or making a purchase.

But over the past four years, retailers have been targeted with claims that they somehow violated the Video Privacy Protection Act of 1988 (“VPPA”), 18 U.S.C. § 2710, merely because their websites contained some pre-recorded video content. Most of these claims have been brought by a handful of plaintiffs’ firms—often using serial plaintiffs. These lawsuits exploit the \$2,500 in statutory damages available under the VPPA. They seek to expand the statute far beyond its textual, contextual, and structural contours. Many rest on the same expansive interpretation of who counts as a “consumer” under the VPPA that Petitioner advances in this case.

RLC, its members, and the retail industry thus have a strong interest in affirmance of the judgment below. The Sixth Circuit properly held that a person must rent, buy, or subscribe to video tapes or similar audiovisual materials to be a ‘consumer’ under the VPPA. That approach not only interprets the statute correctly, but also provides needed clarity on the types of customer relationships that implicate the VPPA. And given the ubiquity of freely-available video content on retailers’ websites, Salazar’s contrary reading of the statute would open the floodgates to abusive VPPA litigation practices by permitting claims to advance even though they are wholly untethered to the video-viewing privacy issues that Congress intended to address.

INTRODUCTION AND SUMMARY OF ARGUMENT

Under the VPPA, a “consumer” is “any renter, purchaser, or subscriber of goods or services from a video tape service provider.” 18 U.S.C. § 2710(a)(1).

The phrase “goods or services” cannot be read in a vacuum, as the Sixth Circuit below and the D.C. Circuit have correctly held. The statute’s text, context, and structure—including the interrelated definitions of “video tape service provider” and “personally identifiable information”—are all focused on video tapes or similar audiovisual materials. Thus, a “consumer” under the VPPA is likewise limited to people who rent, buy, or subscribe to video tapes or similar audiovisual materials (such as a person who rents a DVD or Blu-Ray). See *Paramount Br.* 18-31.

RLC submits this brief to supply additional context underscoring the practical problems that would flow from Salazar’s contrary interpretation. That interpretation makes the purchaser or renter of *any* product—even retail products that are entirely unrelated to video content—a “consumer” under the VPPA. There has already been a surge of VPPA litigation in recent years, as some plaintiffs and their lawyers have sought to leverage the VPPA’s nationwide coverage and minimum statutory damages of \$2,500 per violation. Salazar’s sweeping attempt to expand the scope of the VPPA, if adopted, will no doubt lead to a new flood of abusive claims under the statute.

This risk is particularly acute for retailers. Video content is ubiquitous on retailers’ websites; customers expect and desire video content, and retailers make free video content available to provide visitors with more information about the retailers’ stores, products,

and services. Additionally, most customers interact with retailers through both brick-and-mortar stores and websites, but the majority of retail sales still happen at brick-and-mortar stores. Nonetheless, under Salazar’s approach, all of those in-store purchasers who happen to visit the retailer’s website and encounter audiovisual content would become potential VPPA plaintiffs.

Accordingly, the recent surge in VPPA lawsuits will only get worse if the Court adopts Salazar’s interpretation. For decades after it was enacted, only a relative handful of VPPA claims were asserted. Starting in 2022, however, serial plaintiffs and their counsel began filing hundreds of similar lawsuits attempting to expand the VPPA far beyond its intended contours by pointing to the use of commonplace website technologies. (It is telling that Salazar himself is a plaintiff on both sides of the circuit split.)

Retailers were heavily targeted at the outset of this surge, almost entirely by a small group of “tester” plaintiffs who alleged that they had purchased a product from a retailer at some point in the past and then subsequently watched a freely available video on the same retailer’s website. Most of those lawsuits appear to have been successful in coercing quick settlements, even though the courts that reached the merits correctly concluded that the claims were implausible—including because merely purchasing any product in the past and then watching a website video does not transform a plaintiff into a VPPA “consumer.”

If Salazar’s approach prevails, however, the inevitable result will be a new surge of similarly abusive VPPA litigation, including against retailers whose core business has little or nothing to do with selling or

delivering video content. That result is contrary to both the text and structure of the statute.

The Court should affirm.

ARGUMENT

I. **Petitioner’s Overreaching Interpretation Of “Consumer” Threatens To Expose Retailers To Coercive VPPA Lawsuits.**

The VPPA was not designed to be an omnibus Internet privacy statute—which is not surprising, given that it was adopted well before the advent of the modern Internet. Instead, as the Third Circuit has put it, the VPPA “serves different purposes, and protects different constituencies, than other, broader privacy laws.” *In re Nickelodeon Consumer Priv. Litig.*, 827 F.3d 262, 288 (3d Cir. 2016).

Or, as this Court has explained in the context of the Telephone Consumer Protection Act (a law of similar vintage), a statute should not be used “as an ‘agile tool’” that automatically adapts to evolving technologies or circumstances. *Facebook, Inc. v. Duguid*, 592 U.S. 395, 408-09 (2021) (citation omitted) (rejecting overbroad reading of the TCPA’s definition of an “automatic telephone dialing system”). Instead, statutes must be given their “best reading” in light of their text and context, even if the result is to limit the statute to “senescent technology.” *Id.* at 409 (citation omitted).

Yet Salazar’s expansive reading of the VPPA would stretch the statute far beyond its intended reach. With respect to retailers in particular, virtually every major national retailer offers some form of online audiovisual content. And under Salazar’s interpretation of the VPPA, everyone who makes *any* purchase from such a retailer, whether online or at a

brick-and-mortar store—a pair of jeans, a coffee mug, a box of cereal, or a tube of toothpaste—is a VPPA “consumer.”

That interpretation would give the VPPA a breathtaking sweep that reaches far more broadly than the statute allows. And when coupled with the VPPA’s nationwide coverage and \$2,500 statutory damages provision, Salazar’s interpretation, if accepted, would threaten retailers with massive potential exposure for alleged conduct that bears no resemblance to the conduct that Congress enacted the VPPA to address.

Moreover, market realities make it difficult, if not impossible, for retailers to avoid that risk. Audiovisual content is a critical part of retailers’ online presence. And even brick-and-mortar purchasers frequently visit retailers’ websites and watch video content about the retailer’s products or services, even if they do not make a purchase online.

As a result, under Salazar’s interpretation retailers face potential VPPA claims from virtually *all* of their website visitors, because any website visitor who views a video on a retailer’s website and makes an entirely unrelated in-store purchase could conceivably pursue a claim. The statute should not be interpreted to permit such an incongruous result.

A. Retail customers desire, and retailers routinely provide, digital video content.

Most major retailers have digital video content on their websites to market their goods and brands.

That is simply a function of the modern Internet. Videos are the most consumed and most popular type

of content on the internet, accounting for roughly 80% of all web traffic. See Odysseas Garganas, *Digital Video Advertising: Breakthrough or Extension of TV Advertising in the New Digital Media Landscape?*, *Journal and Media* (June 14, 2024), <https://doi.org/10.3390/journalmedia5020049>.

Indeed, digital video content is ubiquitous across websites of all kinds, including retail websites. Even this Court has a video on its website (and sells goods in its gift shop, which is linked on the Court’s main website).²

Many retailers have added some form of freely-available digital video content to their websites. Digital audiovisual content on retail websites runs the gamut from product demonstrations or overviews, to how-to guides (such as assembly instruction videos), to brand stories that highlight the retailer’s mission or manufacturing processes. Visitors to the website are not necessarily seeking out the video content in particular—they may just be browsing or shopping and encounter the videos as part of the enhanced experience that retailers offer and that customers have come to expect.

A common characteristic of digital videos on retailers’ websites is that they “are aimed toward the sale of [the retailer’s] products and are a marketing tool to promote [the retailer’s] brand and website.” *Hernandez v. Container Store, Inc.*, 2024 WL 72657, at *2 (C.D. Cal. Jan. 3, 2024). In other words, the

² See VOD: Oath Ceremony, https://www.supremecourt.gov/media/event_vod.aspx; Café and Building Amenities, <https://www.supremecourt.gov/visiting/buildingamenities.aspx>.

videos “are not themselves the goods on offer.” *Ibid.* Such video content is a far cry from the “Hitchcock classics and James Bond thrillers” in Judge Bork’s rental history. *Pileggi v. Wash. Newspaper Publ’g Co.*, 146 F.4th 1219, 1224 (D.C. Cir. 2025) (Millett, J.). Nevertheless, as explained *infra* at Part III, such videos have been the target of a wave of VPPA suits in recent years.

Moreover, people who make purchases at brick-and-mortar stores also routinely view retailers’ websites. Nearly every major retailer has both a brick-and-mortar storefront and online presence. The vast majority of retail sales in the United States, 80.8%, are from brick-and-mortar storefronts, while 19.2% of retail sales are online. See *Online vs In-Store Shopping Statistics*, Capital One Shopping Statistics (June 3, 2026), <https://capitaloneshopping.com/research/online-vs-in-store-shopping-statistics/>. But far more than 1 out of 5 retail purchasers visit retailers’ websites. Indeed, one recent report found that 86% of retail customers research products online at some point in the shopping experience, even if they ultimately buy the product in a store.³

In other words, the reality of modern shopping habits demonstrates that customers primarily

³ See *Omnichannel Statistics*, Capital One Shopping Statistics (Apr. 14, 2026), <https://capitaloneshopping.com/research/omnichannel-statistics/>; see also, e.g., Max Stratmann, *Survey: Shoppers Prefer Retailers With a Digital Presence*, TotalRetail (Nov. 13, 2024), <https://www.mytotalretail.com/article/survey-shoppers-prefer-retailers-with-a-digital-presence/> (85% of the 1,516 survey

purchase goods in a brick-and-mortar store, but frequently *visit* the same retailer’s website at some point during the shopping experience. Under Salazar’s interpretation, each of these customers is a potential VPPA “consumer.”

B. Accepting Salazar’s interpretation of the VPPA would open the door to lawsuits by retail customers who have never rented, purchased, or subscribed to any audiovisual content.

Under Salazar’s interpretation, the definition of a “consumer” under the VPPA is entirely unmoored from the statute’s focus on audiovisual content. Salazar concedes as much, acknowledging that under his view “a person who bought” non-audiovisual goods (such as “candles, sunglasses, posters, and even dog bandanas”) “would be described as Blockbuster’s ‘consumer.’” Pet’r. Br. 20.

That approach is misguided even when it comes to traditional video tape service providers like Blockbuster. But it yields especially anomalous results when extended to retailers and other companies that aren’t in the audiovisual business.

Indeed, it is not hard to imagine how, under Salazar’s view, the combination of modern website design and ordinary shopping habits can open the door to potential VPPA claims against retailers:

- A customer is shopping for a t-shirt from a brick-and-mortar store that does not offer any audiovisual goods or services.

respondents “use their smartphones when visiting stores to look up product details or compare prices”).

- The same retailer, however, employs digital video content on its website.
- While browsing t-shirts in the store, the customer pulls out her phone and looks on the retailer’s website for any online discounts.
- While on the retailer’s website, the customer encounters a video on the website’s home page showcasing the retailer’s newest line of products.
- Third-party code on the retailer’s website shares encoded information about the viewing of the video that is completely indecipherable to ordinary humans.⁴
- The customer does not find any discounts on the website, and she instead purchases a t-shirt from the store.

Under the proper interpretation of “consumer” adopted by the Sixth and D.C. Circuits, someone who buys a t-shirt from a store cannot turn around and sue a retailer for VPPA statutory damages based on the retailer’s website. That is because the phrase “goods and services” is immediately followed by the phrase “*from a video* tape service provider.” *Pileggi*, 146 F.4th at 1235. As Judge Millett explained, “[t]he named source ‘from’ which the product must derive gives meaning to the scope of the regulated goods and

⁴ See *Solomon v. Flippis Media, Inc.*, 136 F.4th 41, 54 (2d Cir.), cert. denied, 146 S. Ct. 885 (2025) (dismissing VPPA claim, noting that “[i]t is implausible that an ordinary person would look at the phrase ‘title% 22% 3A% 22-% E2% 96% B7% 20The% 20Roast% 20of% - 20Ric% 20Flair’ . . . and understand it to be a video title”).

services”: “After all, if Congress sought to protect the consumers of ‘goods or services from a medical provider,’ the natural reading would be that consumers are those who received medical services, not those who only bought a coffee in the foyer.” *Ibid.*

Salazar’s reading of the statute, by contrast, gives the VPPA near-limitless sweep; on that reading, whether a person is a “consumer” under the VPPA would “inexplicably turn[] on purchasing something—anything—at some however-distant point in time before viewing a video.” *Pileggi*, 146 F.4th at 1236. According to Salazar, the hypothetical t-shirt purchaser would become a VPPA “consumer” even though the purchase would have nothing to do with “obtain[ing] the products or services that one seeks from a video tape service provider—that is, videos.” *Id.* at 1235.⁵

By encouraging *non*-video purchasers to bring VPPA claims, Salazar’s approach would foster further misuse of the VPPA. In recent years, the VPPA has been weaponized in this very manner even though these situations bear no resemblance to the context that motivated the passage of the statute. Adopting

⁵ Notably, Congress originally included provisions governing both libraries and video tape service providers in the legislation that would become the VPPA. S. Rep. No. 100-599 (1988); 134 Cong. Rec. 10,260-61 (1988) (statement of Sen. Patrick Leahy). Contrary to Salazar’s arguments, the eventual deletion of libraries (and borrowing books or other materials from libraries)—rather than any contrast with the definition of “consumer”—is why the VPPA includes the modifier “video” before “materials or services” in the statute’s definition of “personally identifiable information.” *Ibid.*; see 18 U.S.C. § 2710(a)(3).

Salazar’s interpretation will only exacerbate the problem.

II. The Decision Below Correctly Ensures That The Statutory Definition Of “Consumer” Performs A Critical Gatekeeping Function Against Abusive VPPA Litigation.

Salazar’s interpretation of the VPPA’s definition of “consumer” is not just wrong as a matter of statutory text, context, structure, and purpose; it also will lead to continued abusive VPPA litigation.

To be sure, courts have dismissed VPPA claims similar to Salazar’s on other grounds too. For example, while the Second Circuit sided with Salazar on the meaning of “consumer,” on remand the district court (after a year of further litigation and motion practice) dismissed Salazar’s similar claim against the NBA for failure to allege disclosure of “personally identifiable information” within the meaning of 18 U.S.C. § 2710(a)(3). *Salazar v. Nat’l Basketball Ass’n*, 2025 WL 2830939, at *3 (S.D.N.Y. Oct. 6, 2025). A growing number of courts have likewise dismissed Pixel-based VPPA claims on that basis. See *id.* at *3-5 (citing, *e.g.*, *Solomon*, 136 F.4th at 54; *Hughes v. Nat’l Football League*, 2025 WL 1720295, at *2-3 (2d Cir. June 20, 2025), cert. denied, 2026 WL 642810 (U.S. Mar. 9, 2026)).

But the next theory that comes along may not be so susceptible to resolution at the pleadings stage—and may instead require factual development to determine whether the information allegedly disclosed qualifies as “personally identifiable information” under the circuit courts’ divergent “interpretation of this term.” *Id.* at *3 (describing difference between First Circuit’s “reasonable foreseeability” standard and

Second, Third, and Ninth Circuits’ “ordinary person” standard).

Because Salazar’s approach forces the terms “personally identifiable information” and “video tape service provider” to bear the entire weight of the VPPA’s video-privacy aims, it would lead to increased litigation costs, including substantial costs resulting from discovery. That interpretation not only reflects an unnatural reading of the statute, but threatens to further increase the ability of VPPA class actions to coerce unjustified settlements of even weak claims. See *Smith v. Duffey*, 576 F.3d 336, 340 (7th Cir. 2009) (discovery costs alone “can be so steep as to coerce a settlement on terms favorable to the plaintiff even when his claim is very weak”).

By contrast, adhering to the properly limited definition of “consumer” creates a clear, administrable line that will be easy to apply at the pleadings stage in the mine run of cases. A customer who purchases a t-shirt or a coffee cup from a retailer cannot plausibly allege (consistent with Rule 11) that she is a renter, purchaser, or subscriber of audiovisual content.

III. A Properly Limited Definition Of “Consumer” Is Needed To Curb The Recent Surge Of Abusive VPPA Litigation.

The Court should interpret “consumer” narrowly—and in a manner tethered to the purpose of the VPPA—for an additional, critical reason: an overly-broad reading of the term will lead to even more vexatious litigation under the statute than what has already taken place over the last several years.

A. Claims under the VPPA were infrequent for the first two decades after it was enacted.

Consistent with the limited purpose animating the VPPA's adoption, the VPPA was only rarely invoked in the first twenty years after it was passed. A review of published opinions available on Westlaw reveals that, from 1988 through 2008, the VPPA was cited in only 37 opinions. And of those opinions, only five involved an actual VPPA claim; the remainder of the opinions cited the VPPA for ancillary purposes. The five that did involve VPPA claims largely hewed closely to the context that prompted the passage of the VPPA. See, e.g., *Dirkes v. Borough of Runnemede*, 936 F. Supp. 235, 239 (D.N.J. 1996) (“Videos to Go, the video tape service provider [akin to Blockbuster] in this matter, violated subsection (b) of the Act by disclosing Plaintiffs’ video rental information to [a police officer].”).

From 2008 to 2021, there was a slight uptick in VPPA lawsuits, as online video boomed and certain plaintiffs and their lawyers began exploring theories seeking to shift the VPPA from VHS tapes to digital streaming of audiovisual content.⁶ Nevertheless,

⁶ The number of VPPA lawsuits discussed in this brief was determined through searches of legal databases (Bloomberg and Lex Machina) containing text-searchable complaints. Thus, the actual number of VPPA lawsuits, including cases with non-text-searchable complaints, may be greater.

during this period, only 61 actions—less than a half-dozen a year on average—asserted a VPPA claim.⁷

B. In 2022, businesses, including retailers, began facing a surge of VPPA class actions.

In recent years, however, some plaintiffs and their lawyers have attempted “to place a square peg (modern electronic technology) into a round hole (a statute written in 1988 aimed principally at videotape rental services).” *Yershov v. Gannett Satellite Info. Network, Inc.*, 104 F. Supp. 3d 135, 140 (D. Mass. 2015), *rev’d on other grounds*, 820 F.3d 482 (1st Cir. 2016).

Specifically, the VPPA litigation landscape changed dramatically in 2022, when plaintiffs and their lawyers began targeting countless businesses, including retailers, with VPPA lawsuits. Many of these lawsuits are filed by the same firms, using virtually identical complaints, on behalf of a few repeat named plaintiffs.

Nearly all of these claims are premised on the use of third-party code, like the Meta Pixel (formerly the Facebook Pixel), used by many internet businesses for targeted advertising and other business purposes.

Data sharing in support of this type of targeted advertising is a longstanding and routine business

⁷ Notably, 30 of these actions were consolidated into two multidistrict litigations. *In re Vizio, Inc., Consumer Priv. Litig.*, No. 8:16-ml-02693-JLS-KES, MDL No. 2693 (C.D. Cal. filed Apr. 11, 2016) (24 actions); *In re Nickelodeon Consumer Priv. Litig.*, No. 2:12-cv-07829-SRC-CLW, MDL No. 2443 (D.N.J. filed Dec. 24, 2012) (6 actions).

practice.⁸ And targeted advertising allows businesses to subsidize free services and content on the Internet, which has “enabled the open internet to flourish.”⁹

Nevertheless, plaintiffs’ lawyers rushed to attack this commonplace practice through the novel use of the VPPA. In 2022 alone, plaintiffs filed at least 61 suits bringing VPPA claims, the majority of which alleged substantially similar Pixel-based VPPA claims. See Appendix A (listing VPPA suits by year since 2022).¹⁰

This surge of VPPA litigation continued into 2023, when plaintiffs filed 129 cases (also mainly involving

⁸ See Yan Lau, Bur. of Econ., FTC, *Economic Issues: A Brief Primer on the Economics of Targeted Advertising 2* (Jan. 2020), https://www.ftc.gov/system/files/documents/reports/brief-primer-economics-targeted-advertising/economic_issues_paper_-_economics_of_targeted_advertising.pdf.

⁹ See D. Daniel Sokol & Feng Zhu, Essay, *Harming Competition and Consumers Under the Guise of Protecting Privacy: An Analysis of Apple’s iOS 14 Policy Updates*, 107 Cornell L. Rev. Online 94, 98 (2022) (citing John Deighton & Leora Kornfeld, Interactive Advert. Bureau, *The Socio-economic Impact of Internet Tracking* 24-30 (2020), <https://www.iab.com/wp-content/uploads/2020/02/The-Socio-Economic-Impact-of-Internet-Tracking.pdf>).

¹⁰ See also Skye Witley, *Meta Pixel’s Video Tracking Spurs Wave of Data Privacy Suits*, Bloomberg Law (Oct. 13, 2022), <https://news.bloomberglaw.com/privacy-and-data-security/meta-pixels-video-tracking-spurs-wave-of-consumer-privacy-suits> (“At least 47 proposed class actions filed since February claim that Meta Platforms Inc.’s Pixel tracking tool sent the plaintiffs’ personal video consumption data from online platforms to Facebook without their consent . . .”).

Pixel-related claims). See Appendix A. The number of VPPA cases remained relatively steady in 2024 (112 additional cases). The number of VPPA lawsuits has dwindled slightly in the past year-and-a-half, although plaintiffs have still filed a substantial number of new lawsuits: At least 65 cases were filed in 2025, and 19 have been filed this year (as of June 15). See Appendix A.

It is no secret why the VPPA is attractive to some plaintiffs' lawyers. The statute applies nationwide and imposes a minimum statutory penalty of \$2,500 per violation without the need to show any actual damages or economic harm. In other words, "[w]hat makes these statutory damages class actions so attractive to plaintiffs' lawyers is simple mathematics: these suits multiply a minimum . . . statutory award . . . by the number of individuals in a nationwide . . . class." Sheila B. Scheuerman, *Due Process Forgotten: The Problem of Statutory Damages and Class Actions*, 74 Mo. L. Rev. 103, 114 (2009).

This Court too has repeatedly recognized that class actions create the "potential for coercion," as the specter of "colossal liability" may force litigants into "what Judge Friendly called 'blackmail settlements.'" *Coinbase, Inc. v. Bielski*, 599 U.S. 736, 743 (2023) (quoting Judge Henry J. Friendly, *Federal Jurisdiction: A General View* 120 (1973)).

Salazar's sweeping interpretation of the VPPA's scope, if adopted, will undoubtedly lead to further coercive lawsuits under the statute.

C. Retailers have also been subject to abusive VPPA suits.

Between December 2022 and August 2023 alone, 40 of the VPPA cases just discussed were filed against

retailers and ecommerce businesses. See Appendix B (listing VPPA cases against retailers since 2022). Alarming, 39 of these cases were filed on behalf of a small group of eight “tester” plaintiffs. See, *e.g.*, *Cantu v. Tractor Supply Co.*, 2024 WL 1601257, at *1 (C.D. Cal. Mar. 21, 2024) (“Plaintiff is a consumer privacy advocate and ‘tester’ . . .”).

All of these suits were premised on freely-available audiovisual content on retailers’ websites. These videos included demonstrating how to create custom spaces with container products;¹¹ “a six-second loop with no dialogue of a woman walking on the beach” that appeared on an “online clothing” retailer’s “landing page”;¹² and a video that featured an “inspirational’ story of [a farming equipment retailer’s] employees who recovered from cancer” that was used for “brand awareness.”¹³

Several of these cases (or ones like them) were dismissed because the courts concluded that the plaintiff did not qualify as a VPPA “consumer.” For example, one court noted that the plaintiff did “not allege that she purchased any ‘audio-visual goods or services’ from Defendant, and indeed alleges that the ‘products’ Defendant sells are ‘container products and associated goods.’” *Hernandez*, 2024 WL 72657, at *3 (citation omitted); see also *Hernandez v. Jostens, Inc.*,

¹¹ *Hernandez*, 2024 WL 72657, at *1 (“Plaintiff is a consumer privacy advocate who watched a video titled ‘Custom Spaces’ on Defendant’s website . . .”).

¹² *Rodriguez v. JP Boden Servs. Inc.*, 2024 WL 559228, at *4 (S.D. Cal. Feb. 5, 2024).

¹³ *Cantu*, 2024 WL 1601257, at *4.

2024 WL 1135165, at *3 (C.D. Cal. Feb. 7, 2024) (rejecting similar argument by same plaintiff); *Carroll v. Gen. Mills, Inc.*, 2023 WL 6373868, at *4 (C.D. Cal. Sep. 1, 2023) (holding that the company’s “food is an unrelated product and its purchase and use does not make Plaintiffs consumers of audiovisual material”).¹⁴

While a handful of these suits against retailers were dismissed on a motion to dismiss, half were voluntarily dismissed *before* the retailers even responded to the complaints—likely reflecting early individual settlements. See Appendix B. And *none* of them reached summary judgment, class certification, or resulted in a class settlement. *Ibid.*

Those data points only reinforce that the wave of VPPA litigation against retailers and other businesses is designed to coerce quick settlements

¹⁴ Many district courts had reached the same conclusion outside of the retail context. See, e.g., *Hunthausen v. Spine Media, LLC*, 678 F. Supp. 3d 1228, 1232-33 (S.D. Cal. 2023) (a plaintiff must show that he or she is “a renter, purchaser or subscriber of audio-visual goods or services, and not goods or services writ large”); *Brown v. Learfield Commc’ns, LLC*, 713 F. Supp. 3d 355, 367 (W.D. Tex. 2024) (dismissing VPPA claim where “[p]laintiff d[id] not allege that the video content he accessed was exclusive to a subscribership”); *Heather v. Healthline Media, Inc.*, 2023 WL 8788760, at *2 (N.D. Cal. Dec. 19, 2023) (plaintiffs’ subscriptions to newsletters “equally available to all Healthline’s visitors” did not make them video subscribers, and therefore “consumers”); *Edwards v. Learfield Commc’ns, LLC*, 697 F. Supp. 3d 1297, 1306 (N.D. Fla. 2023) (similar for plaintiffs’ allegations that they created an account, because the accounts did not “grant access to any exclusive or restricted content, much less any exclusive video content”).

independent of the merits of the claims. See pages 17-18, *supra*. Courts have recognized the problems posed by law firms using professional plaintiffs to bring cookie cutter complaints in an effort to coerce quick settlements. See *Shayler v. 1310 PCH, LLC*, 51 F.4th 1015, 1017-18 (9th Cir. 2022).

Accepting Salazar's reading of the statute threatens to subject retailers to a new wave of strike suits under the statute. Simply put, the VPPA should not sweep in broad segments of the business community, including retailers, whose business has nothing to do with selling video content.

CONCLUSION

The Court should affirm the judgment below.

Respectfully submitted.

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June 30, 2026

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APPENDIX A

**Video Privacy Protection Act
Cases Filed Between January 1, 2022
And June 15, 2026**

Cases Filed In 2022

1. *Ambrose v. Boston Globe Media Partners LLC*, No. 1:22-cv-10195 (D. Mass. filed Feb. 5, 2022).
2. *Suufi v. MediaLab.Ai, Inc.*, No. 2:22-cv-00979 (C.D. Cal. filed Feb. 11, 2022).
3. *Jancik v. WebMD LLC*, No. 1:22-cv-00644 (N.D. Ga. filed Feb. 15, 2022).
4. *Bloom v. Zuffa, LLC*, No. 2:22-cv-00412 (D. Nev. filed Mar. 4, 2022).
5. *McDaniel v. Home Box Office Inc.*, No. 1:22-cv-01942 (S.D.N.Y. filed Mar. 7, 2022).
6. *Carter v. Scripps Networks, LLC*, No. 1:22-cv-02031 (S.D.N.Y. filed Mar. 11, 2022).
7. *Goldstein v. Fandango Media, LLC*, No. 9:22-cv-80569 (S.D. Fla. filed Apr. 11, 2022).
8. *Echevarria v. Gamestop, Inc.*, No. 1:22-cv-02143 (E.D.N.Y. filed Apr. 13, 2022).
9. *Ring v. NYP Holdings, Inc.*, No. 1:22-cv-03312 (S.D.N.Y. filed Apr. 22, 2022).
10. *Rancourt v. Meredith Corporation*, No. 1:22-cv-10696 (D. Mass. filed May 6, 2022).
11. *Stark v. Patreon, Inc.*, No. 3:22-cv-03131 (N.D. Cal. filed May 27, 2022).
12. *Martin v. Meredith Corporation*, No. 1:22-cv-04776 (S.D.N.Y. filed June 7, 2022).
13. *Baker v. Bloomberg L.P.*, No. 1:22-cv-04988 (S.D.N.Y. filed June 14, 2022).

14. *Feldman v. Star Tribune Media Company LLC*, No. 0:22-cv-01731 (D. Minn. filed July 7, 2022).
15. *Parcell v. Paramount Global Corporation*, No. 1:22-cv-03666 (N.D. Ill. filed July 14, 2022).
16. *Lamb v. Forbes Media LLC*, No. 1:22-cv-06319 (S.D.N.Y. filed July 25, 2022).
17. *Newlands v. Philo, Inc.*, No. 4:22-cv-04296 (N.D. Cal. filed July 25, 2022).
18. *Czarnionka v. The Epoch Times Association, Inc.*, No. 1:22-cv-06348 (S.D.N.Y. filed July 26, 2022).
19. *Jackson v. Fandom, Inc.*, No. 4:22-cv-04423 (N.D. Cal. filed July 29, 2022).
20. *In re Insider, Inc. Pixel-VPPA Litigation*, No. 1:22-cv-06529 (S.D.N.Y. filed Aug. 1, 2022).
21. *Adams v. America's Test Kitchen, Inc.*, No. 1:22-cv-11309 (D. Mass. filed Aug. 15, 2022).
22. *Aldana v. Gamestop, Inc.*, No. 1:22-cv-07063 (S.D.N.Y. filed Aug. 18, 2022).
23. *Nickerson v. Philo, Inc.*, No. 4:22-cv-05006 (N.D. Cal. filed Sep. 1, 2022).
24. *McCausland v. Gray Television, Inc.*, No. 1:22-cv-07539 (S.D.N.Y. filed Sep. 2, 2022).
25. *Hughley v. Healthline Media, Inc.*, No. 3:22-cv-05059 (N.D. Cal. filed Sep. 6, 2022).
26. *Guida v. Gaia, Inc.*, No. 1:22-cv-02350 (D. Colo. filed Sep. 12, 2022).
27. *Fiorentino v. FloSports, Inc.*, No. 1:22-cv-11502 (D. Mass. filed Sep. 13, 2022).
28. *Solomon v. Flipp's Media, Inc.*, No. 2:22-cv-05508 (E.D.N.Y. filed Sep. 14, 2022).
29. *Salazar v. National Basketball Association*, No. 1:22-cv-07935 (S.D.N.Y. filed Sep. 16, 2022).
30. *Lam v. Books-A-Million, Inc.*, No. 6:22-cv-01717 (M.D. Fla. filed Sep. 20, 2022).

31. *Markels v. AARP*, No. 4:22-cv-05499 (N.D. Cal. filed Sep. 27, 2022).
32. *Buechler v. Rumble, Inc.*, No. 8:22-cv-02237 (M.D. Fla. filed Sep. 29, 2022).
33. *Sorensen v. Turner Broadcasting System, Inc.*, No. 1:22-cv-05522 (N.D. Ill. filed Oct. 7, 2022).
34. *Elliot v. Trusted Media Brands, Inc.*, No. 1:22-cv-08740 (S.D.N.Y. filed Oct. 13, 2022).
35. *Guider-Shaw v. Equifax, Inc.*, No. 1:22-cv-05733 (N.D. Ill. filed Oct. 18, 2022).
36. *Hayes v. Major League Baseball Advanced Media, L.P.*, No. 1:22-cv-05822 (N.D. Ill. filed Oct. 21, 2022).
37. *Roberts v. Perez Hilton Management, Inc.*, No. 2:22-cv-07767 (C.D. Cal. filed Oct. 25, 2022).
38. *Alex v. NFL Enterprises, LLC*, No. 1:22-cv-09239 (S.D.N.Y. filed Oct. 27, 2022).
39. *Gardner v. MeTV*, No. 1:22-cv-05963 (N.D. Ill. filed Oct. 28, 2022).
40. *Cantu v. WW.com, LLC*, No. 2:22-cv-07977 (C.D. Cal. filed Nov. 1, 2022).
41. *Buechler v. USA TODAY Co., Inc.*, No. 1:22-cv-01464 (D. Del. filed Nov. 7, 2022).
42. *Hawkins v. CMG Media Corporation*, No. 1:22-cv-04462 (N.D. Ga. filed Nov. 8, 2022).
43. *Moloney v. Intuit, Inc.*, No. 1:22-cv-06351 (N.D. Ill. filed Nov. 14, 2022).
44. *Cantu v. Hallmark Cards, Inc.*, No. 2:22-cv-08473 (C.D. Cal. filed Nov. 18, 2022).
45. *Golden v. NBCUniversal Media, LLC*, No. 1:22-cv-09858 (S.D.N.Y. filed Nov. 18, 2022).
46. *Cantu v. Darden Corporation*, No. 2:22-cv-08489 (C.D. Cal. filed Nov. 20, 2022).

47. *Osheske v. Silver Cinemas Acquisition Co.*, No. 22STCV37156 (Cal. Super. Ct. filed Nov. 23, 2022).
48. *Siegfried v. Dick's Sporting Goods, Inc.*, No. 2:22-cv-04877 (E.D. Pa. filed Dec. 7, 2022).
49. *Cantu v. Dealer Dot Com, Inc.*, No. 3:22-cv-01938 (S.D. Cal. filed Dec. 8, 2022).
50. *Cantu v. Vimeo.com, Inc.*, No. 2:22-cv-08888 (C.D. Cal. filed Dec. 8, 2022).
51. *Mohamed v. Udemy, Inc.*, No. L-006626-22 (N.J. Super. Ct. Law Div. filed Dec. 12, 2022).
52. *Passariello v. The Atlantic Monthly Group LLC*, No. 2:22-cv-08993 (C.D. Cal. filed Dec. 12, 2022).
53. *Cantu v. Tapestry, Inc.*, No. 3:22-cv-01974 (S.D. Cal. filed Dec. 13, 2022).
54. *Cantu v. The Sherwin-Williams Company*, No. 3:22-cv-01971 (S.D. Cal. filed Dec. 13, 2022).
55. *Hunthausen v. Spine Media, LLC*, No. 3:22-cv-01970 (S.D. Cal. filed Dec. 13, 2022).
56. *Carroll v. Peloton Interactive, Inc.*, No. 2:22-cv-09109 (C.D. Cal. filed Dec. 15, 2022).
57. *Carroll v. La-Z-Boy Incorporated*, No. 4:22-cv-08961 (N.D. Cal. filed Dec. 19, 2022).
58. *Carroll v. Mattel Inc.*, No. 3:22-cv-08954 (N.D. Cal. filed Dec. 19, 2022).
59. *Carroll v. The J.M. Smucker Company*, No. 3:22-cv-08952 (N.D. Cal. filed Dec. 19, 2022).
60. *Stoudemire v. Lee Enterprises, Inc.*, No. 3:22-cv-00086 (S.D. Iowa filed Dec. 19, 2022).
61. *Carroll v. Dave & Buster's, Inc.*, No. 4:22-cv-09070 (N.D. Cal. filed Dec. 21, 2022).

Cases Filed In 2023

1. *Carroll v. The Procter & Gamble Company*, No. 3:23-cv-00010 (S.D. Cal. filed Jan. 4, 2023).
2. *Carroll v. Newell Brands Inc.*, No. 2:23-cv-00105 (C.D. Cal. filed Jan. 8, 2023).
3. *Bryant v. Philo, Inc.*, No. 4:23-cv-00136 (N.D. Cal. filed Jan. 11, 2023).
4. *McCoy v. AMC Networks, Inc.*, No. 1:23-cv-00441 (S.D.N.Y. filed Jan. 18, 2023).
5. *Carroll v. Bombas LLC*, No. 2:23-cv-00462 (C.D. Cal. filed Jan. 20, 2023).
6. *Carroll v. Chick-fil-a, Inc.*, No. 3:23-cv-00314 (N.D. Cal. filed Jan. 22, 2023).
7. *Kuzenski v. Uproxx LLC*, No. 2:23-cv-00945 (C.D. Cal. filed Feb. 8, 2023).
8. *Collins v. Toledo Blade Company*, No. 3:23-cv-00302 (N.D. Ohio filed Feb. 16, 2023).
9. *Kandel v. Eros Media PLC*, No. 2:23-cv-00905 (D.N.J. filed Feb. 16, 2023).
10. *Carroll v. MLB Advanced Media L.P.*, No. 2:23-cv-01216 (C.D. Cal. filed Feb. 17, 2023).
11. *Ickes v. AMC Networks Inc.*, No. 3:23-cv-00803 (N.D. Cal. filed Feb. 22, 2023).
12. *Tawam v. Feld Entertainment, Inc.*, No. 3:23-cv-00357 (S.D. Cal. filed Feb. 23, 2023).
13. *Ghanaat v. Numerade Labs, Inc.*, No. 4:23-cv-00833 (N.D. Cal. filed Feb. 24, 2023).
14. *Tawam v. Merchsource LLC*, No. 3:23-cv-00393 (S.D. Cal. filed Mar. 1, 2023).
15. *Rodriguez v. The Hershey Company*, No. 3:23-cv-00398 (S.D. Cal. filed Mar. 2, 2023).
16. *Tawam v. Live Nation Worldwide, Inc.*, No. 3:23-cv-00392 (S.D. Cal. filed Mar. 2, 2023).

17. *Rodriguez v. Mattress Firm, Inc.*, No. 23STCV04679 (Cal. Super. Ct. filed Mar. 3, 2023).
18. *Carroll v. General Mills, Inc.*, No. 2:23-cv-01746 (C.D. Cal. filed Mar. 8, 2023).
19. *Carroll v. Mars, Incorporated*, No. 2:23-cv-01755 (C.D. Cal. filed Mar. 8, 2023).
20. *Joiner v. NHL Enterprises, Inc.*, No. 1:23-cv-02083 (S.D.N.Y. filed Mar. 10, 2023).
21. *Klein v. Gamma Entertainment, Inc.*, No. 2:23-cv-01890 (C.D. Cal. filed Mar. 14, 2023).
22. *Collins v. Pearson Education, Inc.*, No. 1:23-cv-02219 (S.D.N.Y. filed Mar. 15, 2023).
23. *Licea v. Fitlife Brands Inc.*, No. 3:23-cv-00509 (S.D. Cal. filed Mar. 22, 2023).
24. *Darden v. Times Publishing Company*, No. 8:23-cv-00661 (M.D. Fla. filed Mar. 23, 2023).
25. *Edwards v. Learfield Communications LLC*, No. 1:23-cv-00065 (N.D. Fla. filed Mar. 23, 2023).
26. *May v. Philo, Inc.*, No. 3:23-cv-01394 (N.D. Cal. filed Mar. 24, 2023).
27. *Vela v. AMC Networks, Inc.*, No. 1:23-cv-02524 (S.D.N.Y. filed Mar. 24, 2023).
28. *Rodriguez v. JP Boden Services Inc.*, No. 3:23-cv-00534 (S.D. Cal. filed Mar. 27, 2023).
29. *Carroll v. La-Z-Boy Incorporated*, No. 2:23-cv-10744 (E.D. Mich. filed Mar. 30, 2023).
30. *Li v. Georges Media Group, LLC*, No. 2:23-cv-01117 (E.D. La. filed Mar. 30, 2023).
31. *Rodriguez v. Transform SR Brands LLC*, No. 3:23-cv-00585 (S.D. Cal. filed Mar. 31, 2023).
32. *Tawam v. Athene USA Corporation*, No. 2:23-cv-02429 (C.D. Cal. filed Mar. 31, 2023).
33. *Brown v. The University of Texas at Austin*, No. 1:23-cv-00374 (W.D. Tex. filed Apr. 3, 2023).

34. *Dicker v. Media Research Center*, No. 1:23-cv-00453 (E.D. Va. filed Apr. 6, 2023).
35. *Rodriguez v. Luxy Hair Co.*, No. 3:23-cv-00657 (S.D. Cal. filed Apr. 11, 2023).
36. *Martinez v. D2C, LLC*, No. 1:23-cv-21394 (S.D. Fla. filed Apr. 13, 2023).
37. *Peterson v. Learfield Communications, LLC*, No. 8:23-cv-00146 (D. Neb. filed Apr. 16, 2023).
38. *Cantu v. Adorama Inc.*, No. 2:23-cv-02907 (C.D. Cal. filed Apr. 18, 2023).
39. *Rodriguez v. Givenchy Corporation*, No. 3:23-cv-00710 (S.D. Cal. filed Apr. 18, 2023).
40. *Rodriguez v. The Pampered Chef, Ltd.*, No. 2:23-cv-02920 (C.D. Cal. filed Apr. 18, 2023).
41. *McKay v. Nugs.net Enterprises, Inc.*, No. 3:23-cv-01900 (N.D. Cal. filed Apr. 20, 2023).
42. *Cantu v. Tractor Supply Company*, No. 2:23-cv-03027 (C.D. Cal. filed Apr. 21, 2023).
43. *Cantu v. Blue Cross and Blue Shield Association*, No. 2:23-cv-03084 (C.D. Cal. filed Apr. 24, 2023).
44. *Cantu v. Geico Insurance Agency, LLC*, No. 2:23-cv-03125 (C.D. Cal. filed Apr. 25, 2023).
45. *Cantu v. Boardriders, Inc.*, No. 2:23-cv-03162 (C.D. Cal. filed Apr. 26, 2023).
46. *Hernandez v. Dine Brands Global, Inc.*, No. 3:23-cv-00786 (S.D. Cal. filed May 1, 2023).
47. *Cantu v. Fossil Group, Inc.*, No. 2:23-cv-03337 (C.D. Cal. filed May 2, 2023).
48. *Hernandez v. Yeti Coolers LLC*, No. 3:23-cv-00798 (S.D. Cal. filed May 2, 2023).
49. *Ade v. Viki, Inc.*, No. 3:23-cv-02161 (N.D. Cal. filed May 3, 2023).
50. *Munoz v. Paula's Choice, LLC*, No. 2:23-cv-03426 (C.D. Cal. filed May 4, 2023).

51. *Saunders v. Hearst Television, Inc.*, No. 1:23-cv-10998 (D. Mass. filed May 5, 2023).
52. *Munoz v. Peter Thomas Roth Labs LLC*, No. 2:23-cv-03475 (C.D. Cal. filed May 7, 2023).
53. *Cantu v. Sound United LLC*, No. 3:23-cv-00841 (S.D. Cal. filed May 8, 2023).
54. *Cantu v. DFO, LLC*, No. 2:23-cv-03696 (C.D. Cal. filed May 15, 2023).
55. *Rodriguez v. Delta T LLC*, No. 2:23-cv-03717 (C.D. Cal. filed May 15, 2023).
56. *Hunthausen v. Buzzfeed, Inc.*, No. 3:23-cv-00900 (S.D. Cal. filed May 16, 2023).
57. *Diaz v. Bluestem Brands, Inc.*, No. 3:23-cv-02510 (N.D. Cal. filed May 23, 2023).
58. *Hernandez v. Pure Health Research LLC*, No. 3:23-cv-00971 (S.D. Cal. filed May 25, 2023).
59. *Cantu v. Sunrun Inc.*, No. 3:23-cv-00974 (S.D. Cal. filed May 26, 2023).
60. *Rodriguez v. Zagg, Inc.*, No. 3:23-cv-00976 (S.D. Cal. filed May 26, 2023).
61. *Munoz v. Compassion International Inc.*, No. 23STCV12470 (Cal. Super. Ct. filed June 2, 2023).
62. *Heerde v. Learfield Communications, LLC*, No. 2:23-cv-04493 (C.D. Cal. filed June 8, 2023).
63. *Hernandez v. Michael Kors (USA), Inc.*, No. 2:23-cv-04654 (C.D. Cal. filed June 13, 2023).
64. *Nino v. CNBC LLC*, No. 1:23-cv-05025 (S.D.N.Y. filed June 14, 2023).
65. *Jackson v. Fandango Media LLC*, No. 2023LA000631 (Ill. Cir. Ct. filed June 15, 2023).
66. *Campos v. Tubi, Inc.*, No. 1:23-cv-03843 (N.D. Ill. filed June 16, 2023).

67. *Munoz v. SharpSpring Inc.*, No. 3:23-cv-01130 (S.D. Cal. filed June 16, 2023).
68. *Taino v. Bow Tie Cinemas, LLC*, No. 1:23-cv-05371 (S.D.N.Y. filed June 23, 2023).
69. *Hernandez v. Ashley Global Retail, LLC*, No. 2:23-cv-05066 (C.D. Cal. filed June 26, 2023).
70. *Hernandez v. The Container Store, Inc.*, No. 2:23-cv-05067 (C.D. Cal. filed June 26, 2023).
71. *Hernandez v. Jostens, Inc.*, No. 2:23-cv-05227 (C.D. Cal. filed June 30, 2023).
72. *Rodriguez v. Aquatic Sales Solutions LLC*, No. 2:23-cv-05198 (C.D. Cal. filed June 30, 2023).
73. *Munoz v. Belkin International, Inc.*, No. 2:23-cv-05287 (C.D. Cal. filed July 3, 2023).
74. *Ickes v. AMC Networks Inc.*, No. 1:23-cv-05730 (S.D.N.Y. filed July 5, 2023).
75. *Hernandez v. Chewy, Inc.*, No. 2:23-cv-05620 (C.D. Cal. filed July 12, 2023).
76. *Bate v. Securly, Inc.*, No. 3:23-cv-01304 (S.D. Cal. filed July 14, 2023).
77. *Bretto v. AMC Entertainment Holdings, Inc.*, No. 2:23-cv-02317 (D. Kan. filed July 19, 2023).
78. *Kishore v. BCCL Worldwide, Inc.*, No. 4:23-cv-03594 (N.D. Cal. filed July 20, 2023).
79. *Buckley v. AMC Networks, Inc.*, No. 3:23-cv-03630 (N.D. Cal. filed July 21, 2023).
80. *Shapiro v. Peacock TV LLC*, No. 7:23-cv-06345 (S.D.N.Y. filed July 21, 2023).
81. *Munoz v. Fantasia Trading LLC*, No. 2:23-cv-06154 (C.D. Cal. filed July 28, 2023).
82. *Rodriguez v. ByteDance, Inc.*, No. 1:23-cv-04953 (N.D. Ill. filed July 28, 2023).
83. *Carroll v. Vida Shoes International, Inc.*, No. 2:23-cv-06242 (C.D. Cal. filed Aug. 1, 2023).

84. *Dhruva v. Curiosity Inc.*, No. 3:23-cv-03863 (N.D. Cal. filed Aug. 1, 2023).
85. *James v. Sentai Filmworks, LLC*, No. 5:23-cv-03928 (N.D. Cal. filed Aug. 4, 2023).
86. *Myers v. National Association for Stock Car Auto Racing, Inc.*, No. 6:23-cv-01540 (M.D. Fla. filed Aug. 11, 2023).
87. *Dhruva v. CuriosityStream Inc.*, No. 1:23-cv-02265 (D. Md. filed Aug. 18, 2023).
88. *Rodriguez v. Fiskars Brands, Inc.*, No. 2:23-cv-07814 (C.D. Cal. filed Sep 19, 2023).
89. *John v. Delta Defense LLC*, No. 2:23-cv-01253 (E.D. Wis. filed Sep. 21, 2023).
90. *Fan v. NBA Properties Inc.*, No. 3:23-cv-05069 (N.D. Cal. filed Oct. 3, 2023).
91. *Potter v. Babbel, Inc.*, No. 5:23-cv-00617 (M.D. Fla. filed Oct. 12, 2023).
92. *Potter v. Dotdash Media, Inc.*, No. 5:23-cv-00616 (M.D. Fla. filed Oct. 12, 2023).
93. *Antoine v. ESPN Enterprises, Inc.*, No. 2:23-cv-00887 (M.D. Fla. filed Oct. 13, 2023).
94. *Antoine v. Sling TV, LLC*, No. 2:23-cv-00888 (M.D. Fla. filed Oct. 13, 2023).
95. *Brinkley v. Philo, Inc.*, No. 3:23-cv-01207 (M.D. Fla. filed Oct. 13, 2023).
96. *Evans v. BET Interactive, LLC*, No. 6:23-cv-01978 (M.D. Fla. filed Oct. 13, 2023).
97. *Perez v. FuboTV, Inc.*, No. 0:23-cv-61961 (S.D. Fla. filed Oct. 13, 2023).
98. *Perez v. Redbox Entertainment, Inc.*, No. 0:23-cv-61962 (S.D. Fla. filed Oct. 13, 2023).
99. *Weiss v. Peacock TV, LLC*, No. 0:23-cv-61956 (S.D. Fla. filed Oct. 13, 2023).

100. *Sleigh v. PGA Tour, Inc.*, No. 2:23-cv-00893 (M.D. Fla. filed Oct. 14, 2023).
101. *Falcon v. TelevisaUnivision Interactive Media, Inc.*, No. 8:23-cv-02340 (M.D. Fla. filed Oct. 16, 2023).
102. *Garcia v. Dow Jones & Company, Inc.*, No. 8:23-cv-02351 (M.D. Fla. filed Oct. 17, 2023).
103. *Nguyen v. Course Hero, Inc.*, No. 0:23-cv-61981 (S.D. Fla. filed Oct. 18, 2023).
104. *Nguyen v. National Geographic Partners, LLC*, No. 8:23-cv-02359 (M.D. Fla. filed Oct. 18, 2023).
105. *Foulkes v. Chegg, Inc.*, No. 1:23-cv-23993 (S.D. Fla. filed Oct. 19, 2023).
106. *Sutton v. TED Foundation, Inc.*, No. 1:23-cv-09219 (S.D.N.Y. filed Oct. 19, 2023).
107. *Baker v. Vimeo.com, Inc.*, No. 6:23-cv-02030 (M.D. Fla. filed Oct. 20, 2023).
108. *LaCasse v. Study.com, LLC*, No. 1:23-cv-24026 (S.D. Fla. filed Oct. 23, 2023).
109. *Doe v. MUBI, Inc.*, No. 5:23-cv-05509 (N.D. Cal. filed Oct. 25, 2023).
110. *Badwal v. Alo Moves, Inc.*, No. 1:23-cv-24164 (S.D. Fla. filed Oct. 31, 2023).
111. *Shah v. Asia TV USA Limited*, No. 2:23-cv-21722 (D.N.J. filed Oct. 31, 2023).
112. *Ghazizadeh v. Coursera, Inc.*, No. 5:23-cv-05646 (N.D. Cal. filed Nov. 1, 2023).
113. *Garza v. Alamo Drafthouse Cinemas, LLC*, No. 4:23-cv-05719 (N.D. Cal. filed Nov. 6, 2023).
114. *Messner v. Stingray Music USA Inc.*, No. 6:23-cv-06636 (W.D.N.Y. filed Nov. 7, 2023).
115. *Lyons v. Betterme International Limited*, No. 1:23-cv-24274 (S.D. Fla. filed Nov. 8, 2023).
116. *Garza v. Alamo Intermediate II Holdings, LLC*, No. 3:23-cv-05849 (N.D. Cal. filed Nov. 13, 2023).

117. *Tejon v. Vimeo.com, Inc.*, No. 1:23-cv-24347 (S.D. Fla. filed Nov. 13, 2023).
118. *Walsh v. California Cinema Investments LLC*, No. 2:23-cv-09608 (C.D. Cal. filed Nov. 13, 2023).
119. *Christopherson v. Cinema Entertainment Corporation*, No. 0:23-cv-03614 (D. Minn. filed Nov. 22, 2023).
120. *Arora v. Honolulu Star-Advertiser*, No. 1:23-cv-00480 (D. Haw. filed Nov. 27, 2023).
121. *Fuhrhop v. JustWatch, Inc.*, No. 1:23-cv-12923 (D. Mass. filed Nov. 30, 2023).
122. *Sancruzado v. Bare Knuckle Fighting Championship, Inc.*, No. 1:23-cv-24657 (S.D. Fla. filed Dec. 9, 2023).
123. *Sancruzado v. Flipp Media, Inc.*, No. 1:23-cv-24659 (S.D. Fla. filed Dec. 9, 2023).
124. *Sancruzado v. Rumble, Inc.*, No. 1:23-cv-24661 (S.D. Fla. filed Dec. 9, 2023).
125. *Tejon v. CuriosityStream, Inc.*, No. 1:23-cv-24658 (S.D. Fla. filed Dec. 9, 2023).
126. *Tejon v. Up Faith & Family, LLC*, No. 1:23-cv-24660 (S.D. Fla. filed Dec. 9, 2023).
127. *Tejon v. Cineverse Entertainment Corp.*, No. 1:23-cv-24684 (S.D. Fla. filed Dec. 12, 2023).
128. *Weiss v. Peacock TV, LLC*, No. 7:23-cv-11037 (S.D.N.Y. filed Dec. 20, 2023).
129. *Myers v. National Association for Stock Car Auto Racing, Inc.*, No. 3:23-cv-00888 (W.D.N.C. filed Dec. 21, 2023).

Cases Filed In 2024

1. *Shapiro v. Sellers International, LLC*, No. 4:24-cv-00079 (N.D. Cal. filed Jan. 4, 2024).
2. *Beasley v. FuboTV, Inc.*, No. 1:24-cv-00711 (S.D.N.Y. filed Jan. 31, 2024).
3. *Thornton v. Mindvalley, Inc.*, No. 5:24-cv-00593 (N.D. Cal. filed Jan. 31, 2024).
4. *Berryman v. Reading International, Inc.*, No. 1:24-cv-00750 (S.D.N.Y. filed Feb. 1, 2024).
5. *Serra v. New England Patriots, LLC*, No. 4:24-cv-40022 (D. Mass. filed Feb 1, 2024).
6. *Edwards v. MUBI, Inc.*, No. 5:24-cv-00638 (N.D. Cal. filed Feb. 2, 2024).
7. *Huang v. TGC, LLC*, No. 6:24-cv-00270 (M.D. Fla. filed Feb. 6, 2024).
8. *Valentini v. Reading International, Inc.*, No. 2:24-cv-00255 (D. Nev. filed Feb. 6, 2024).
9. *Krik v. Fandango Media, LLC*, No. 1:24-cv-00895 (S.D.N.Y. filed Feb. 7, 2024).
10. *Tejon v. Zeus Networks, LLC*, No. 1:24-cv-20498 (S.D. Fla. filed Feb. 8, 2024).
11. *Wong v. MLB Advanced Media, L.P.*, No. 3:24-cv-00779 (N.D. Cal. filed Feb. 8, 2024).
12. *Hossain v. Mediastar Limited*, No. 1:24-cv-01201 (S.D.N.Y. filed Feb. 16, 2024).
13. *Kasper v. NFHS Network, LLC*, No. 8:24-cv-00383 (C.D. Cal. filed Feb. 23, 2024).
14. *Endres v. FitOn Inc.*, No. 2:24-cv-01589 (C.D. Cal. filed Feb. 27, 2024).
15. *Seguin v. Digital Download, Inc.*, No. 4:24-cv-01354 (N.D. Cal. filed Mar. 6, 2024).
16. *Beagle v. Amazon.com, Inc.*, No. 2:24-cv-00316 (W.D. Wash. filed Mar. 8, 2024).

17. *Sahagn v. Themis Bar Review, LLC*, No. 1:24-cv-02065 (N.D. Ill. filed Mar. 12, 2024).
18. *Villalobos v. D2C, LLC*, No. 5:24-cv-01517 (N.D. Cal. filed Mar. 12, 2024).
19. *Hyman v. Sinclair, Inc.*, No. 2:24-cv-02168 (C.D. Cal. filed Mar. 18, 2024).
20. *Johnson v. Times Internet Limited*, No. 2:24-cv-04350 (D.N.J. filed Mar. 28, 2024).
21. *Stricker v. The Christian Broadcasting Network, Inc.*, No. 1:24-cv-00501 (E.D. Va. filed Mar. 28, 2024).
22. *Flores v. Dazn US LLC*, No. 24STCV08450 (Cal. Super. Ct. filed Apr. 3, 2024).
23. *De La Paz v. 2U, Inc.*, No. 1:24-cv-11049 (D. Mass. filed Apr. 19, 2024).
24. *Doe v. Aylo Holdings S.A.R.L.*, No. 2:24-cv-03267 (C.D. Cal. filed Apr. 19, 2024).
25. *Labernik v. Augusta National, Inc.*, No. 1:24-cv-03058 (S.D.N.Y. filed Apr. 22, 2024).
26. *Lee v. Plex, Inc.*, No. 5:24-cv-02386 (N.D. Cal. filed Apr. 22, 2024).
27. *Bennett v. TestMax, Inc.*, No. 2:24-cv-03662 (C.D. Cal. filed May 2, 2024).
28. *Kauffman v. 800 Pound Gorilla Media, LLC*, No. 3:24-cv-00787 (S.D. Cal. filed May 2, 2024).
29. *Morrison v. Yippee Entertainment, Inc.*, No. 3:24-cv-00797 (S.D. Cal. filed May 3, 2024).
30. *Stricker v. Centr LLC*, No. 2:24-cv-03877 (C.D. Cal. filed May 9, 2024).
31. *Smith v. Trinity Broadcasting of Texas, Inc.*, No. 8:24-cv-01046 (C.D. Cal. filed May 14, 2024).
32. *Marden v. Weather Group Television, LLC*, No. 1:24-cv-11349 (D. Mass. filed May 21, 2024).

33. *Krayzman v. iStockphoto, LP*, No. 3:24-cv-03086 (N.D. Cal. filed May 22, 2024).
34. *Plotsker v. Envato Pty Ltd.*, No. 2:24-cv-04412 (C.D. Cal. filed May 28, 2024).
35. *De La Torre v. Vshred, LLC*, No. 2:24-cv-04917 (C.D. Cal. filed June 11, 2024).
36. *Lee v. Springer Nature America, Inc.*, No. 1:24-cv-04493 (S.D.N.Y. filed June 12, 2024).
37. *Joseph v. IGN Entertainment, Inc.*, No. 1:24-cv-11579 (D. Mass. filed June 18, 2024).
38. *Mata v. Redfin Corporation*, No. 3:24-cv-01094 (S.D. Cal. filed June 25, 2024).
39. *Mata v. Zillow Group, Inc.*, No. 3:24-cv-01095 (S.D. Cal. filed June 25, 2024).
40. *J.S. v. Connected Ventures, LLC*, No. 1:24-cv-04992 (S.D.N.Y. filed July 1, 2024).
41. *DuCote v. CuriosityStream, Inc.*, No. 1:24-cv-01922 (D. Md. filed July 2, 2024).
42. *Krueger v. Chess.com, LLC*, No. 1:24-cv-05722 (N.D. Ill. filed July 8, 2024).
43. *Gutierrez v. Liberty Media Corporation*, No. 1:24-cv-05770 (N.D. Ill. filed July 9, 2024).
44. *Brown v. Walmart, Inc.*, No. 5:24-cv-05144 (W.D. Ark. filed July 15, 2024).
45. *Arias v. Sling TV, LLC*, No. 1:24-cv-05493 (S.D.N.Y. filed July 19, 2024).
46. *Palma v. Formula One Digital Media Limited*, No. 1:24-cv-05283 (E.D.N.Y. filed July 29, 2024).
47. *N.Z. v. Fenix International Limited*, No. 8:24-cv-01655 (C.D. Cal. filed July 29, 2024).
48. *Feller v. Alliance Entertainment, LLC*, No. 0:23-cv-61444 (S.D. Fla. filed Aug. 8, 2024).
49. *Blakeley v. The National Rugby League Limited*, No. 3:24-cv-04923 (N.D. Cal. filed Aug. 9, 2024).

50. *McCormick v. The Australian Football League*, No. 4:24-cv-04929 (N.D. Cal. filed Aug. 9, 2024).
51. *MacAlpine v. Onnit, Inc.*, No. 1:24-cv-00933 (W.D. Tex. filed Aug. 15, 2024).
52. *Silva v. Yanka Industries, Inc.*, No. 3:24-cv-05264 (N.D. Cal. filed Aug. 16, 2024).
53. *Archer v. Shout! Factory, LLC*, No. 2:24-cv-07056 (C.D. Cal. filed Aug. 20, 2024).
54. *Golland v. Major League Baseball Advanced Media, L.P.*, No. 1:24-cv-06270 (S.D.N.Y. filed Aug. 20, 2024).
55. *Brady v. Weather Group Television, LLC*, No. 1:24-cv-00261 (D.N.H. filed Aug. 23, 2024).
56. *Jolly v. FurtherEd, Inc.*, No. 1:24-cv-06401 (S.D.N.Y. filed Aug. 23, 2024).
57. *Gakuba v. James*, No. 1:24-cv-01043 (N.D.N.Y. filed Aug. 25, 2024).
58. *Stachovic v. Pig Newton, Inc.*, No. 1:24-cv-06589 (S.D.N.Y. filed Aug. 30, 2024).
59. *Gakuba v. James*, No. 1:24-cv-06661 (S.D.N.Y. filed, Aug. 31, 2024).
60. *Ezpeleta v. FurtherEd, Inc.*, No. 1:24-cv-06709 (S.D.N.Y. filed Sep. 4, 2024).
61. *Williams v. CD Projekt S.A.*, No. 1:24-cv-06205 (E.D.N.Y. filed Sep. 5, 2024).
62. *Gakuba v. James*, No. 1:24-cv-06969 (S.D.N.Y. filed Sep. 8, 2024).
63. *Coppedge v. The Athletic Media Company*, No. 1:24-cv-12312 (D. Mass. filed Sep. 9, 2024).
64. *Harlos v. LexVid Services, Inc.*, No. 3:24-cv-01621 (S.D. Cal. filed Sep. 11, 2024).
65. *Harper v. NBI, Inc.*, No. 3:24-cv-00644 (W.D. Wis. filed Sep. 11, 2024).

66. *Carruth v. KD Creatives, Inc.*, No. 2:24-cv-02484 (E.D. Cal. filed Sep. 12, 2024).
67. *To v. DirectToU, LLC*, No. 3:24-cv-06447 (N.D. Cal. filed Sep. 12, 2024).
68. *Penning v. The Daily Caller, Inc.*, No. 1:24-cv-02662 (D.D.C. filed Sep. 17, 2024).
69. *Comarow v. TRTCLE, Corp.*, No. 1:24-cv-07096 (S.D.N.Y. filed Sep. 18, 2024).
70. *Jordan v. Crunch, LLC*, No. 1:24-cv-07118 (S.D.N.Y. filed Sep. 19, 2024).
71. *Harwell v. McGraw Hill, LLC*, No. 1:24-cv-07222 (S.D.N.Y. filed Sep. 24, 2024).
72. *Saarloos v. The Cowboy Channel, LLC*, No. 5:24-cv-02058 (C.D. Cal. filed Sep. 25, 2024).
73. *Trimboli v. Filmsupply, LLC*, No. 4:24-cv-06752 (N.D. Cal. filed Sep. 26, 2024).
74. *Lucchese-Soto v. The Criterion Collection, LLC*, No. 1:24-cv-07345 (S.D.N.Y. filed Sep. 27, 2024).
75. *McGuire v. The Criterion Collection, LLC*, No. 1:24-cv-07354 (S.D.N.Y. filed Sep. 27, 2024).
76. *Wissel v. Rural Media Group, Inc.*, No. 4:24-cv-00925 (N.D. Tex. filed Sep. 27, 2024).
77. *McGrath v. Shout! Factory, LLC*, No. 1:24-cv-09360 (N.D. Ill. filed Oct. 2, 2024).
78. *Lakes v. Ubisoft, Inc.*, 3:24-cv-06943 (N.D. Cal. filed Oct. 3, 2024).
79. *Manza v. Pesi, Inc.*, No. 3:24-cv-00690 (W.D. Wis. filed Oct. 3, 2024).
80. *Benson v. SimpleNursing LLC*, No. 1:24-cv-01118 (D. Del. filed Oct. 9, 2024).
81. *Zamora v. Green Man Gaming Limited*, No. 1:24-cv-07175 (E.D.N.Y. filed Oct. 11, 2024).
82. *Lovett v. Continued.com, LLC*, No. 1:24-cv-00590 (S.D. Ohio filed Oct. 16, 2024).

83. *Wissel v. Rural Media Group, Inc.*, No. 4:24-cv-00999 (N.D. Tex. filed Oct. 18, 2024).
84. *Guereca v. Motorsport.tv Digital, LLC*, No. 1:24-cv-24066 (S.D. Fla. filed Oct. 21, 2024).
85. *Hoffman v. FitOn, Inc.*, No. 2:24-cv-09105 (C.D. Cal. filed Oct. 22, 2024).
86. *Birch v. Green Man Gaming Limited*, No. 2:24-cv-02929 (E.D. Cal. filed Oct. 23, 2024).
87. *Kueppers v. Zumba Fitness, LLC*, No. 0:24-cv-61983 (S.D. Fla. filed Oct. 23, 2024).
88. *Damrau v. Colibri Group, Inc.*, No. 4:24-cv-01441 (E.D. Mo. filed Oct. 25, 2024).
89. *Gakuba v. James*, No. 1:24-cv-08313 (S.D.N.Y. filed Oct. 25, 2024).
90. *Simon v. Scripps Networks, LLC*, No. 1:24-cv-08175 (S.D.N.Y. filed Oct. 28, 2024).
91. *Gakuba v. James*, No. 1:24-cv-01329 (N.D.N.Y. filed Oct. 31, 2024).
92. *Cho v. Paramount Global*, No. 1:24-cv-08312 (S.D.N.Y. filed Nov. 1, 2024).
93. *Jones v. Becker Professional Development Corporation*, No. 6:24-cv-06642 (W.D.N.Y. filed Nov. 1, 2024).
94. *Penning v. The International Business Machines, Inc.*, No. 7:24-cv-08380 (S.D.N.Y. filed Nov. 4, 2024).
95. *Garcia v. Brigham Young University*, No. 1:24-cv-00188 (D. Utah filed Nov. 12, 2024).
96. *Sarhadi v. Pear Health Labs, Inc.*, No. 3:24-cv-07921 (N.D. Cal. filed Nov. 12, 2024).
97. *Mull v. Gotham Distributing Corporation*, No. 2:24-cv-06083 (E.D. Pa. filed Nov. 13, 2024).
98. *Dallum v. Kino Lorber LLC*, No. 1:24-cv-08775 (S.D.N.Y. filed Nov. 18, 2024).

99. *Evans v. Macy's, Inc.*, No. 1:24-cv-08761 (S.D.N.Y. filed Nov. 18, 2024).
100. *Kroskey v. Elevate Labs, LLC*, No. 5:24-cv-08113 (N.D. Cal. filed Nov. 18, 2024).
101. *Trimboli v. FilmSupply, LLC*, No. 4:24-cv-01156 (N.D. Tex. filed Nov. 27, 2024).
102. *Robles v. Discovery Digital Ventures, LLC*, No. 1:24-cv-09327 (S.D.N.Y. filed Dec. 6, 2024).
103. *Lindekugel v. Strafford Publications, LLC*, No. 1:24-cv-05642 (N.D. Ga. filed Dec. 9, 2024).
104. *Budette v. FuboTV Inc*, No. 2024LA001460 (Ill. Cir. Ct. filed Dec. 10, 2024).
105. *Haines v. Cengage Learning, Inc.*, No. 1:24-cv-00710 (S.D. Ohio filed Dec. 11, 2024).
106. *Harris v. VXN Group LLC*, No. 24STCV32758 (Cal. Super. Ct. filed Dec. 11, 2024).
107. *Hasani v. Humble Bundle, Inc.*, No. 1:24-cv-09449 (S.D.N.Y. filed Dec. 11, 2024).
108. *Archer v. NBCUniversal Media, LLC*, No. 2:24-cv-10744 (C.D. Cal. filed Dec. 13, 2024).
109. *Wan v. DraftKings Inc.*, No. 1:24-cv-09557 (S.D.N.Y. filed Dec. 13, 2024).
110. *Riley v. Zeus Networks, LLC*, No. 1:24-cv-13120 (D. Mass. filed Dec. 18, 2024).
111. *Carbone v. Limited Run Games, Inc.*, No. 2:24-cv-08861 (E.D.N.Y. filed Dec. 27, 2024).
112. *Marquis v. Fandom, Inc.*, No. 1:24-cv-10041 (S.D.N.Y. filed Dec. 31, 2024).

Cases Filed In 2025

1. *Cochenour v. 360Training.com, Inc.*, No. 1:25-cv-00007 (W.D. Tex. filed Jan. 2, 2025).
2. *Luna v. Take-Two Interactive Software, Inc.*, No. 1:25-cv-00208 (S.D.N.Y. filed Jan. 9, 2025).
3. *Kohn v. CrunchLabs LLC*, No. 1:25-cv-00210 (E.D.N.Y. filed Jan. 13, 2025).
4. *Lexclaim Recovery Group US LLC v. Patreon, Inc.*, No. 3:25-cv-00428 (N.D. Cal. filed Jan. 13, 2025).
5. *Teresa Turner v. National Notary Association*, No. 2:25-cv-00334 (C.D. Cal. filed Jan. 13, 2025).
6. *Hetrick v. Ascend Learning, LLC*, No. 1:25-cv-10103 (D. Mass. filed Jan. 14, 2025).
7. *Navarro-Cabrera v. QVC, Inc.*, No. 2:25-cv-00229 (E.D. Pa. filed Jan. 14, 2025).
8. *Cohn v. Universal Pictures Home Entertainment, LLC*, No. 1:25-cv-00469 (S.D.N.Y. filed Jan. 16, 2025).
9. *Barajas v. Atlas Obscura Inc.*, No. 1:25-cv-00302 (E.D.N.Y. filed Jan. 17, 2025).
10. *Ballard v. Insomniac Holdings, LLC*, No. 3:25-cv-00811 (N.D. Cal. filed Jan. 23, 2025).
11. *Nguyen v. Elsevier Inc.*, No. 5:25-cv-00825 (N.D. Cal. filed Jan. 24, 2025).
12. *Bolanos v. Vshred, LLC*, No. CACE25001211 (Fla. Cir. Ct. filed Jan. 28, 2025).
13. *Kieliszewski v. Relias LLC*, No. 5:25-cv-00043 (E.D.N.C. filed Jan. 30, 2025).
14. *Ware v. Relias, LLC*, No. 4:25-cv-00023 (E.D.N.C. filed Jan. 31, 2025).
15. *Whalen v. NBA Properties, Inc.*, No. 3:25-cv-01030 (N.D. Cal. filed Jan. 31, 2025).
16. *Cai v. DataCamp, Inc.*, No. 1:25-cv-00954 (S.D.N.Y. filed Feb. 3, 2025).

17. *Cole v. LinkedIn Corporation*, No. 5:25-cv-01097 (N.D. Cal. filed Feb. 3, 2025).
18. *Marquis v. Focus Multimedia Ltd.*, No. 1:25-cv-01011 (S.D.N.Y. filed Feb. 4, 2025).
19. *Wambold v. RTA Media Holdings, LLC*, No. 1:25-cv-00096 (M.D.N.C. filed Feb. 7, 2025).
20. *Brodiski v. Augustine Institute, Inc.*, No. 1:25-cv-00476 (D. Colo. filed Feb. 13, 2025).
21. *Wray v. Humble Bundle, Inc.*, No. 3:25-cv-01592 (N.D. Cal. filed Feb. 14, 2025).
22. *Korn v. Simplilearn Americas Inc.*, No. 1:25-cv-10461 (D. Mass. filed Feb. 26, 2025).
23. *Musick v. Dotdash Meredith, Inc.*, No. 1:25-cv-01718 (S.D.N.Y. filed Feb. 28, 2025).
24. *Indiviglio v. Regal Cinemas, Inc.*, No. 7:25-cv-01884 (S.D.N.Y. filed Mar. 6, 2025).
25. *Porcuna v. Crazy Maple Studio, Inc.*, No. 3:25-cv-02428 (N.D. Cal. filed Mar. 10, 2025).
26. *Levens v. For Goodness Sake LLC*, No. 5:25-cv-02593 (N.D. Cal. filed Mar. 17, 2025).
27. *Lewis v. Advance Magazine Publishers Inc.*, No. 1:25-cv-02269 (S.D.N.Y. filed Mar. 19, 2025).
28. *Stamatis v. ATP Media Operations Ltd.*, No. 3:25-cv-30046 (D. Mass. filed Mar. 20, 2025).
29. *Allen v. Trinity Broadcasting of Texas, Inc.*, No. 8:25-cv-00537 (C.D. Cal. filed Mar. 20, 2025).
30. *Eng v. WarnerMedia Direct, LLC*, No. 1:25-cv-02452 (S.D.N.Y. filed Mar. 25, 2025).
31. *Brunner v. Fenix Internet, LLC*, No. 1:25-cv-03244 (N.D. Ill. filed Mar. 26, 2025).
32. *Glinoga v. Sullivan Entertainment Inc.*, No. 3:25-cv-00707 (S.D. Cal. filed Mar. 26, 2025).
33. *Casper v. Dotdash Meredith, Inc.*, No. 1:25-cv-02613 (S.D.N.Y. filed Mar. 31, 2025).

34. *Dawson v. National University*, No. 1:25-cv-03498 (N.D. Ill. filed Apr. 1, 2025).
35. *Dawson v. The University of Phoenix, Inc.*, No. 1:25-cv-03497 (N.D. Ill. filed Apr. 1, 2025).
36. *Moore v. MLB Advance Media, L.P.*, No. 1:25-cv-02880 (S.D.N.Y. filed Apr. 7, 2025).
37. *Horan v. National Cable Satellite Corporation*, No. 1:25-cv-01114 (D.D.C. filed Apr. 14, 2025).
38. *Goodman v. Hillsdale College*, No. 1:25-cv-00417 (W.D. Mich. filed Apr. 14, 2025).
39. *Anderson v. Dow Jones & Company, Inc.*, No. 1:25-cv-03249 (S.D.N.Y. filed Apr. 18, 2025).
40. *McDonald v. Samba TV, Inc.*, No. 3:25-cv-03470 (N.D. Cal. filed Apr. 18, 2025).
41. *M.S. v. Aylo Global Entertainment, Inc.*, No. 2:25-cv-01139 (E.D. Cal. filed Apr. 18, 2025).
42. *Ugoala v. Regent, L.P.*, No. 1:25-cv-02153 (N.D. Ga. filed Apr. 18, 2025).
43. *Banks v. CoStar Realty Information, Inc.*, No. 4:25-cv-00564 (E.D. Mo. filed Apr. 23, 2025).
44. *Messina v. Baseball America Inc.*, No. 1:25-cv-00309 (M.D.N.C. filed Apr. 23, 2025).
45. *Kopeck v. Tivoli Enterprises, Inc.*, No. 1:25-cv-04554 (N.D. Ill. filed Apr. 25, 2025).
46. *Allen v. BAMTech, LLC*, No. 2:25-cv-03861 (C.D. Cal. filed Apr. 30, 2025).
47. *Simpson v. Valnet Inc.*, No. 1:25-cv-03622 (S.D.N.Y. filed May 1, 2025).
48. *Chandra v. Prager University Foundation*, No. 2:25-cv-03984 (C.D. Cal. filed May 5, 2025).
49. *Dougherty v. Zynga Inc.*, No. 3:25-cv-04051 (N.D. Cal. filed May 9, 2025).
50. *McRitchie v. Global Tetrahedron, LLC*, No. 1:25-cv-05471 (N.D. Ill. filed May 16, 2025).

51. *S.H. v. Cybernet Entertainment LLC*, No. 3:25-cv-04682 (N.D. Cal. filed June 3, 2025).
52. *Cartagena v. Dotdash Meredith, Inc.*, No. 1:25-cv-11638 (D. Mass. filed June 5, 2025).
53. *D.B. v. Bellesa Enterprises US, Inc.*, No. 2:25-cv-05099 (C.D. Cal. filed June 5, 2025).
54. *D.M. v. Vergil Services, Inc.*, No. 2:25-cv-05102 (C.D. Cal. filed June 5, 2025).
55. *Britt v. PGATour.com, LLC*, No. 3:25-cv-00667 (M.D. Fla. filed June 13, 2025).
56. *S.M. v. Select Media LLC*, No. 1:25-cv-11856 (D. Mass. filed June 27, 2025).
57. *Garcia v. Becker Professional Development Corporation*, No. 1:25-cv-12157 (D. Mass. filed July 31, 2025).
58. *Ramirez v. The Washington Times LLC*, No. 1:25-cv-02619 (D.D.C. filed Aug. 11, 2025).
59. *Saul v. Valnet Inc.*, No. 1:25-cv-12236 (D. Mass. filed Aug. 11, 2025).
60. *Lomeli v. WHOOP, Inc.*, No. 3:25-cv-06828 (N.D. Cal. filed Aug. 13, 2025).
61. *Johnson v. Gamestop, Inc.*, No. 3:25-cv-00646 (E.D. Va. filed Aug. 15, 2025).
62. *E.G. v. The Walt Disney Company*, No. 1:25-cv-07359 (S.D.N.Y. filed Sep. 4, 2025).
63. *Stowe v. Hearst Magazine Media, Inc.*, No. 1:25-cv-01128 (D. Del. filed Sep. 10, 2025).
64. *Popa v. Disney Worldwide Services, Inc.*, No. 2:25-cv-09390 (C.D. Cal. filed Oct. 2, 2025).
65. *Diaz v. Paramount Skydance Corporation*, No. 5:25-cv-02945 (C.D. Cal. filed Nov. 4, 2025).

Cases Filed In 2026
(January 1, 2026 – June 15, 2026)

1. *DiGiacinto v. Samsung Electronics America, Inc.*, No. 1:26-cv-00196 (S.D.N.Y. filed Jan. 9, 2026).
2. *Hokes v. Zeus Networks, LLC*, No. 4:26-cv-00361 (N.D. Cal. filed Jan. 13, 2026).
3. *Cheung v. Slickdeals, LLC*, No. 2:26-cv-00519 (C.D. Cal. filed Jan. 16, 2026).
4. *Rudnick v. Sony Corporation of America*, No. 3:26-cv-00297 (S.D. Cal. filed Jan. 16, 2026).
5. *Chisholm v. BBC Global News US, LLC*, No. 1:26-cv-00809 (S.D.N.Y. filed Jan. 29, 2026).
6. *Shahbaz v. Z5X Global-FZ LLC*, No. 2:26-cv-00372 (E.D. Cal. filed Feb. 10, 2026).
7. *Deliyannides v. Vimeo.com, Inc.*, No. 1:26-cv-01915 (N.D. Ill. filed Feb. 20, 2026).
8. *Cabonios v. Crunchyroll, LLC*, No. 2:26-cv-02373 (C.D. Cal. filed Mar. 5, 2026).
9. *Semonious v. Sony Electronics, Inc.*, No. 3:26-cv-01833 (S.D. Cal. filed Mar. 23, 2026).
10. *Dougherty v. Zynga Inc.*, No. 1:26-cv-02772 (S.D.N.Y. filed Apr. 3, 2026).
11. *Ciric v. Al Jazeera Media Network*, No. 1:26-cv-11751 (D. Mass. filed Apr. 15, 2026).
12. *Haskell v. LIV Golf Inc.*, No. 1:26-cv-11787 (D. Mass. filed Apr. 16, 2026).
13. *Melunsky v. LinkedIn Corporation*, No. 5:26-cv-03460 (N.D. Cal. filed Apr. 23, 2026).
14. *Gallardo v. Redfin Corporation*, No. 8:26-cv-00983 (C.D. Cal. filed Apr. 24, 2026).
15. *Cazares v. LG Electronics U.S.A., Inc.*, No. 5:26-cv-03840 (N.D. Cal. filed Apr. 30, 2026).
16. *Manypenny v. Amazon.com Inc.*, No. 2:26-cv-01534 (W.D. Wash. filed May 6, 2026).

17. *Sorkin v. Fortune Media (USA) Corporation*, No. 1:26-cv-03772 (S.D.N.Y. filed May 06, 2026).
18. *Severino v. Hisense USA Corporation*, No. 3:26-cv-04379 (N.D. Cal. filed May 12, 2026).
19. *Rosenberg v. TCL North America Inc*, No. 3:26-cv-04629 (N.D. Cal. filed May 15, 2026).

APPENDIX B**Video Privacy Protection Act
Cases Filed Against Retailers**

1. *Echevarria v. Gamestop, Inc.*, No. 1:22-cv-02143 (E.D.N.Y. filed Apr. 13, 2022).
 - a. **Disposition:** Voluntarily dismissed on August 3, 2022, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 11.
2. *Aldana v. Gamestop, Inc.*, No. 1:22-cv-07063 (S.D.N.Y. filed Aug. 18, 2022).
 - a. **Disposition:** Stipulated dismissal on January 6, 2025, after Defendant filed an answer. *See* Dkt. No. 50.
3. *Cantu v. Hallmark Cards, Inc.*, No. 2:22-cv-08473 (C.D. Cal. filed Nov. 18, 2022).
 - a. **Disposition:** Voluntarily dismissed on February 27, 2023, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 11.
4. *Siegfried v. Dick's Sporting Goods, Inc.*, No. 2:22-cv-04877 (E.D. Pa. filed Dec. 7, 2022).
 - a. **Disposition:** Defendant's motion to compel arbitration granted on November 15, 2023. *See* Dkt. No. 24.
5. *Cantu v. Tapestry, Inc.*, No. 3:22-cv-01974 (S.D. Cal. filed Dec. 13, 2022).
 - a. **Disposition:** Defendant's motion to dismiss granted with prejudice on October 3, 2023. *See* Dkt. Nos. 23 & 24.
6. *Cantu v. The Sherwin-Williams Company*, No. 3:22-cv-01971 (S.D. Cal. filed Dec. 13, 2022).
 - a. **Disposition:** Voluntarily dismissed on March 20, 2023, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 11.

7. *Carroll v. Peloton Interactive, Inc.*, No. 2:22-cv-09109 (C.D. Cal. filed Dec. 15, 2022).
 - a. **Disposition:** Voluntarily dismissed on March 15, 2023, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 18.
8. *Carroll v. La-Z Boy Incorporated*, No. 4:22-cv-08961 (N.D. Cal. filed Dec. 19, 2022).
 - a. **Disposition:** Voluntarily dismissed on March 31, 2023, after Defendant filed a motion to dismiss and the action was transferred to E.D. Mich (No. 2:23-cv-10744). *See* E.D. Mich. Dkt. No. 6.
9. *Carroll v. Mattel Inc.*, No. 3:22-cv-08954 (N.D. Cal. filed Dec. 19, 2022).
 - a. **Disposition:** Voluntarily dismissed on March 13, 2023, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 17.
10. *Carroll v. The Procter & Gamble Company*, No. 3:23-cv-00010 (S.D. Cal. filed Jan. 4, 2023).
 - a. **Disposition:** Voluntarily dismissed on May 3, 2023, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 13.
11. *Carroll v. Newell Brands Inc.*, No. 2:23-cv-00105 (C.D. Cal. filed Jan. 8, 2023).
 - a. **Disposition:** Voluntarily dismissed on April 13, 2023, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 14.
12. *Carroll v. Bombas LLC*, No. 2:23-cv-00462 (C.D. Cal. filed Jan. 20, 2023).
 - a. **Disposition:** Voluntarily dismissed on March 15, 2023, after Defendant filed a motion to dismiss. *See* Dkt. No. 25.
13. *Tawam v. Merchsource, LLC*, No. 3:23-cv-00393 (S.D. Cal. filed Mar. 1, 2023).

- a. **Disposition:** Voluntarily dismissed on May 23, 2023, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 12.
14. *Rodriguez v. The Hershey Company*, No. 3:23-cv-00398 (S.D. Cal. filed Mar. 2, 2023).
 - a. **Disposition:** Defendant's motion to dismiss granted with prejudice on October 12, 2023. *See* Dkt. Nos. 14 & 15.
15. *Rodriguez v. Mattress Firm, Inc.*, No. 23STCV04679 (Cal. Super. Ct. filed Mar. 3, 2023).
 - a. **Disposition:** Voluntarily dismissed on August 14, 2023, before Defendant filed an answer or responsive pleading. *See* Dkt. No. BL-25.
16. *Carroll v. Mars Incorporated*, No. 2:23-cv-01755 (C.D. Cal. filed Mar. 8, 2023).
 - a. **Disposition:** Voluntarily dismissed on March 28, after Defendant filed a motion to dismiss. *See* Dkt. No. 13.
17. *Licea v. Fitlife Brands Inc.*, No. 3:23-cv-00509 (S.D. Cal. filed Mar. 22, 2023).
 - a. **Disposition:** Voluntarily dismissed on August 15, 2023, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 11.
18. *Rodriguez v. JP Boden Services Inc.*, No. 3:23-cv-00534 (S.D. Cal. filed Mar. 27, 2023).
 - a. **Disposition:** Defendant's motion to dismiss granted without prejudice on February 12, 2024. *See* Dkt. Nos. 37 & 38.
19. *Tawam v. Athene USA Corporation*, No. 2:23-cv-02429 (C.D. Cal. filed Mar. 31, 2023).
 - a. **Disposition:** Voluntarily dismissed on May 18, 2023, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 15.
20. *Rodriguez v. Transform SR Brands LLC*, No. 3:23-cv-00585 (S.D. Cal. filed Mar 31, 2023).

- a. **Disposition:** Voluntarily dismissed on February 8, 2024, after Defendant filed a motion to dismiss. *See* Dkt. No. 15.
21. *Rodriguez v. Luxy Hair Co.*, No. 3:23-cv-00657 (S.D. Cal. filed Apr. 11, 2023).
 - a. **Disposition:** Voluntarily dismissed on December 20, 2023, after Defendant filed a motion to dismiss. *See* Dkt. No. 15.
22. *Rodriguez v. Givenchy Corporation*, No. 3:23-cv-00710 (S.D. Cal. filed Apr. 18, 2023).
 - a. **Disposition:** Joint motion for dismissal granted on July 21, 2023, after Plaintiff filed notice of settlement and before Defendant filed an answer or responsive pleading. *See* Dkt. No. 10.
23. *Cantu v. Adorama Inc.*, No. 2:23-cv-02907 (C.D. Cal. filed Apr. 18, 2023)
 - a. **Disposition:** Joint motion for dismissal granted on September 15, 2023, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 21.
24. *Rodriguez v. The Pampered Chef, Ltd.*, No. 2:23-cv-02920 (C.D. Cal. filed Apr. 18, 2023).
 - a. **Disposition:** Voluntarily dismissed on August 4, 2023, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 16.
25. *Cantu v. Tractor Supply Company*, No. 2:23-cv-03027 (C.D. Cal. filed Apr. 21, 2023).
 - a. **Disposition:** Defendant's motion to dismiss granted with prejudice March 21, 2024. *See* Dkt. No. 40.
26. *Cantu v. Boardriders, Inc.*, No. 2:23-cv-03162 (C.D. Cal. filed Apr. 26, 2023).

- a. **Disposition:** Voluntarily dismissed on July 24, 2023, before Defendant filed an answer or responsive pleading. See Dkt. No. 12.
27. *Hernandez v. Yeti Coolers LLC*, No. 3:23-cv-00798 (S.D. Cal. filed May 2, 2023).
- a. **Disposition:** Voluntarily dismissed on July 3, 2023, after Defendant filed a motion to dismiss. See Dkt. No. 9.
28. *Cantu v. Fossil Group, Inc.*, No. 2:23-cv-03337 (C.D. Cal. filed May 02, 2023).
- a. **Disposition:** Voluntarily dismissed on October 25, 2023, before Defendant filed an answer or responsive pleading. See Dkt. No. 22.
29. *Munoz v. Peter Thomas Roth Labs LLC*, No. 2:23-cv-03475 (C.D. Cal. filed May 7, 2023).
- a. **Disposition:** Voluntarily dismissed on July 17, 2023, before Defendant filed an answer or responsive pleading. See Dkt. No. 16.
30. *Munoz v. Paula's Choice, LLC*, No. 2:23-cv-03426 (C.D. Cal. filed May 4, 2023).
- a. **Disposition:** Voluntarily dismissed on July 31, 2023, after Defendant filed a motion to dismiss. See Dkt. No. 28.
31. *Cantu v. Sound United LLC*, No. 3:23-cv-00841 (S.D. Cal. filed May 8, 2023).
- a. **Disposition:** Voluntarily dismissed on March 6, 2024, after Defendant filed a motion to dismiss. See Dkt. No. 17.
32. *Rodriguez v. Zagg, Inc.*, No. 3:23-cv-00976 (S.D. Cal. filed May 26, 2023).
- a. **Disposition:** Joint motion for dismissal granted on September 5, 2023, after Plaintiff filed notice of settlement and before Defendant filed an answer or responsive pleading. See Dkt. No. 12.

33. *Cantu v. Sunrun Inc.*, No. 3:23-cv-00974 (S.D. Cal. filed May 26, 2023).
 - a. **Disposition:** Defendant's motion to dismiss granted with prejudice on November 22, 2023. See Dkt. No. 17.
34. *Hernandez v. Michael Kors USA, Inc.*, No. 2:23-cv-04654 (C.D. Cal. filed June 13, 2023).
 - a. **Disposition:** Voluntarily dismissed on July 30, 2023, after Defendant filed a motion to dismiss. See Dkt. No. 11.
35. *Hernandez v. Ashley Global Retail, LLC*, No. 2:23-cv-05066 (C.D. Cal. filed June 26, 2023).
 - a. **Disposition:** Voluntarily dismissed on December 4, 2023, after Plaintiff filed an amended complaint and Defendant filed a motion to dismiss. See Dkt. No. 20.
36. *Hernandez v. The Container Store, Inc.*, No. 2:23-cv-05067 (C.D. Cal. filed June 26, 2023).
 - a. **Disposition:** Defendant's motion to dismiss granted with prejudice on January 3, 2024. See Dkt. No. 33.
37. *Hernandez v. Jostens, Inc.*, No. 2:23-cv-05227 (C.D. Cal. filed June 30, 2023).
 - a. **Disposition:** Defendant's motion to dismiss granted with prejudice on February 7, 2024. See Dkt. No. 24.
38. *Rodriguez v. Aquatic Sales Solutions LLC*, No. 2:23-cv-05198 (C.D. Cal. filed June 30, 2023).
 - a. **Disposition:** Dismissed upon joint stipulation filed on September 10, 2024, after Defendant filed a motion to dismiss. See Dkt. No. 28.
39. *Munoz v. Belkin International, Inc.*, No. 2:23-cv-05287 (C.D. Cal. filed July 3, 2023).
 - a. **Disposition:** Dismissed after notice of settlement filed on July 21, 2023, before

Defendant filed an answer or responsive pleading. *See* Dkt. No. 14.

40. *Hernandez v. Chewy, Inc.*, No. 2:23-cv-05620 (C.D. Cal. filed July 12, 2023).
 - a. **Disposition:** Defendant's motion to dismiss granted with prejudice on December 13, 2023. *See* Dkt. No. 24.
41. *Munoz v. Fantasia Trading LLC*, No. 2:23-cv-06154 (C.D. Cal. filed July 28, 2023).
 - a. **Disposition:** Dismissed upon joint stipulation on August 23, 2023, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 23.
42. *Carroll v. Vida Shoes International, Inc.*, No. 2:23-cv-06242 (C.D. Cal. filed Aug. 1, 2023).
 - a. **Disposition:** Voluntarily dismissed on August 5, 2023, before Defendant filed answer or responsive pleading. *See* Dkt. No. 8.
43. *Cantu v. Lux Global Inc.*, No. 2:23-cv-07192 (C.D. Cal. filed Aug. 30, 2023).
 - a. **Disposition:** Voluntarily dismissed on September 22, 2023, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 8.
44. *Evans v. Macy's, Inc.*, No. 1:24-cv-08761 (S.D.N.Y. filed Nov. 18, 2024).
 - a. **Disposition:** Voluntarily dismissed on April 10, 2025, after Defendant filed a motion to dismiss. *See* Dkt. No. 30.
45. *Rodriguez v. Fiskars Brands, Inc.*, No. 2:23-cv-07814 (C.D. Cal. filed Sep 19, 2023).
 - a. **Disposition:** Voluntarily dismissed on November 27, 2023, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 12.
46. *Navarro-Cabrera v. QVC, Inc.*, No. 2:25-cv-00229 (E.D. Pa. filed Jan. 14, 2025).

- a. **Disposition:** Voluntarily dismissed on March 17, 2025, before Defendant filed an answer or responsive pleading. *See* Dkt. No. 16.
47. *Johnson v. Gamestop, Inc.*, No. 3:25-cv-00646 (E.D. Va. filed Aug. 15, 2025).
- a. **Disposition:** Voluntarily dismissed on September 26, 2025, after Defendant filed a motion to strike the complaint but before Defendant filed an answer or responsive pleading. *See* Dkt. No. 9. Court entered judgment on September 26, 2025. *See* Dkt. No. 10.