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10 *JANE DOE*

11 **UNITED STATES DISTRICT COURT**  
12 **CENTRAL DISTRICT OF CALIFORNIA**

13  
14 JANE DOE, on behalf of herself and all  
others similarly situated,

Case No.: 2:21-cv-02428-SPG-SK

15  
16 **Plaintiff,**

**SECOND AMENDED CLASS  
ACTION COMPLAINT**

17 vs.

18 WebGroup Czech Republic, a.s.; WGCZ  
Holding, a.s.; WGCZ Limited, s.r.o.; NKL  
19 Associates s.r.o.; Traffic F, s.r.o.; GTFlix  
TV, s.r.o.; FTCP, s.r.o.; HC Media, s.r.o.;  
20 FBP Media s.r.o.,

21 **Defendants.**  
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1 **INTRODUCTION**

2 1. Plaintiff and the proposed class are victims and survivors of childhood sex  
3 trafficking who had videos and images of their childhood sex trafficking sold and/or  
4 distributed on websites, including www.xvideos.com (“XVideos”) and  
5 www xnxx.com (“XNXX”), owned, operated, managed, controlled, and facilitated by  
6 Defendants. Defendants have capitalized on the Plaintiff’s child sexual abuse material  
7 (“CSAM”) for their own financial benefit.

8 2. The Defendants owned, operated, controlled and/or actively managed  
9 collectively a complicated enterprise of domains including XVideos and XNXX  
10 (“XVideos Website Enterprise”).

11 3. Upon information and belief, the XNXX website is a mirror site to the  
12 XVideos website and contains largely the same content<sup>1</sup> that is uploaded to the  
13 XVideos website. Plaintiff will refer to both XNXX and XVideos as XVideos  
14 throughout this complaint for simplicity as it is the primary and more popular website  
15 which XNXX mirrors. Because the content on the two websites is largely the same, the  
16 allegations specific to the XVideos website apply to the XNXX website as well.

17 4. Defendants operate, develop and profit from their complex corporate  
18 scheme. The XVideos Website Enterprise is grounded in the United States while being  
19 complemented and hidden by a web of Czech companies.

20 5. The XVideos Website Enterprise includes subsidiaries, related parties,  
21 and server companies, some of whom are located in the United States, that actively  
22 manage and develop the XVideos Website Enterprise.

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26 <sup>1</sup> See Nicholas Kristoff, *Why Do We Let Corporations Profit From Rape Videos?*, NY TIMES,  
27 Apr. 18, 2021, [https://www.nytimes.com/2021/04/16/opinion/sunday/companies-online-rape-  
28 videos.html](https://www.nytimes.com/2021/04/16/opinion/sunday/companies-online-rape-videos.html) (“We are the biggest adult tube in the industry, with an average of two billion daily  
impressions worldwide,’ boasts XVideos, which SimilarWeb ranks as the seventh-most-visited  
website in the world. Two slots behind is a sister website with almost exactly the same content,  
XNXX.com.”)



1           6.     The Defendants, on their websites and servers, created, organized,  
2 facilitated dissemination, and developed key words, tags and/or categories to optimize  
3 and monetize images and videos that depict CSAM, also known as child pornography.  
4 Each of these images and videos, including those depicting the Plaintiff, is a crime  
5 scene the Defendants monetized.

6           7.     The Defendants used words indicative of CSAM to create and develop  
7 content on their websites that infers CSAM is present and available for viewing.

8           8.     Defendants are a coordinated group of companies that knowingly benefit  
9 from child sex trafficking by, among other things, developing, analyzing, and  
10 monetizing uploaded content and/or manipulating search terms and media content on  
11 XVideos and/or developing content and systems to drive the continued uploading and  
12 consumption of CSAM for profit.

13          9.     Defendants use sophisticated technology to track and promote the types  
14 of material that drive traffic to its websites and ultimately, increase their profits.  
15 Defendants facilitate the anonymity of those child sex traffickers who upload CSAM  
16 and anonymous communication among those criminals looking for CSAM, which  
17 ensures that the practice continues and grows Defendants' profits.

18          10.    The Defendants employ a plethora of corporate entities that operate as a  
19 single enterprise.

20          11.    Plaintiff Jane Doe, a minor at the time of her sex trafficking, is just one of  
21 the many victims, from among the class members she represents, of Defendants'  
22 XVideos Website Enterprise. The XVideos Website Enterprise has elevated profit over  
23 the well-being of repeatedly traumatized child victims of sex trafficking.

24          12.    Defendants' disregard for and exploitation of these victims is reinforced  
25 by the Defendants' **frequent and persistent refusal to remove videos** of Plaintiff's  
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1 child sex trafficking and the child sex trafficking of many other class members from  
2 Defendants’ websites despite repeated requests for removal.<sup>2</sup>

3 13. The Plaintiff brings this action against the Defendants, who benefited  
4 from and/or otherwise participated in a sex trafficking venture in which the Plaintiff  
5 was a victim. Plaintiff, who was under eighteen years of age at the time of filming, was  
6 depicted in commercial sex acts and CSAM, which was then made available for  
7 viewing on websites owned, operated, and facilitated by the Defendants. The  
8 trafficking and commercial exploitation of the Plaintiff violated, among other laws, the  
9 Trafficking Victims Protection Reauthorization Act (“TVPRA”), 18 U.S.C. §§ 1591  
10 and 1595.

11 **JURISDICTION AND VENUE**

12 14. The Court has subject-matter jurisdiction over this matter under 28 U.S.C.  
13 § 1331 because this action arises under the laws of the United States.

14 15. The Court may properly exercise personal jurisdiction over all  
15 Defendants. Each of the Defendants maintains minimum contacts with California and  
16 the United States generally, such that maintaining this lawsuit does not offend  
17 traditional notions of fair play and substantial justice.

18 16. WebGroup Czech Republic, a.s.; WGCZ Holding, a.s.; WGCZ Limited,  
19 s.r.o.; NKL Associates s.r.o.; Traffic F, s.r.o.; GTFlix TV, s.r.o.; FTCP, s.r.o.; HC  
20 Media, s.r.o.; and FBP Media, s.r.o. (collectively, “WGCZ,” “WGCZ entities,” or  
21 “WGCZ Defendants”) are essentially the same entity, act as a single enterprise for a  
22 common purpose, and share each other’s jurisdictional contacts.

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25 <sup>2</sup> See Nicholas Kristoff, *Why Do We Let Corporations Profit From Rape Videos?*, N.Y.  
26 Times, Apr. 18, 2021, <https://www.nytimes.com/2021/04/16/opinion/sunday/companies-online-rape-videos.html> (“Just after she turned 14, a man enticed her to engage in sexual play over Skype. He secretly recorded her. A clip, along with her full name, ended up on XVideos, the world’s most-visited pornography site. Google searches helped direct people to this illegal footage of child sexual abuse. In a video above this column, she recounts how she begged XVideos to remove the clip. Instead, she says, the website hosted two more copies, so hundreds of thousands of people could leer at this most mortifying moment of her life, preserved forever as if in amber.”).



1           17. The XVideos Website Enterprise displays its domains in English and  
2 provides access through virtual private networks (“VPN”) to hide the exact locations  
3 of visitors, including those in the United States.

4           18. The entire XVideos Website Enterprise depends on United States  
5 infrastructure.

6           19. WGCZ does substantial business in the United States, including  
7 California, by (1) using a California based company to actively manage its website and  
8 servers, at least one of which is physically located in California; (2) selling  
9 subscriptions and advertisements to US companies; (3) using a US company with US  
10 servers as a content delivery network (“CDN”) to essentially copy original content to  
11 additional servers located in the United States, including California, to enhance the  
12 speed of the website, among other things; (4) processing subscription payments  
13 through a California company; (5) paying profits to video uploaders who post videos  
14 through a California company; (6) receiving payment from companies advertising on  
15 XVideos website through a California company; (7) using a California company for  
16 email service, including direct transactional email; (8) using a California company to  
17 host its email servers; and (9) developing, managing, and controlling part of the  
18 XVideos Website Enterprise directly out of a California registered entity.

19           20. Additionally, the majority of WGCZ’s market is concentrated in the  
20 United States. In July 2021, XVideos.com was ranked the 7th most trafficked website  
21 globally and ranked the 9th most trafficked website in the United States. Xnxx.com  
22 was ranked the 10th most trafficked website both in the world and in the United States.

23           21. Data from July 2021 shows that nearly 24% of Xnxx.com traffic comes  
24 from the United States (followed by Russia, with 5% of the traffic). For XVideos.com,  
25 19% of the traffic comes from the United States (followed by Japan, with almost 7%  
26 of the traffic).

27           22. On information and belief, some of the content in the XVideos.com and  
28 Xnxx.com domains and subdomains is hosted on servers located in the United States.



1           23. WGCZ developed and controls a domain called Traffic Factory, which is  
2 essentially little more than a landing page developed by WGCZ to drive new  
3 advertising business to be viewed and monetized on the XVideos and XNXX websites.  
4 Traffic Factory is actively managed in the United States by Traffic Factory’s “Team  
5 America” with representative account managers residing in the United States.

6           24. Moreover, WGCZ boasts geo-fencing and location-based advertising  
7 through its advertising platform, Traffic Factory. The scheme encourages WGCZ to  
8 collect data from California consumers and targets advertisements specifically to  
9 Californians based on their location.

10           25. Additional business contacts by WGCZ include, but are not limited to,  
11 WGCZ’s ownership and control of Penthouse World Media LLC; Penthouse World  
12 Broadcasting LLC; Penthouse World Digital LLC; Penthouse World Licensing LLC;  
13 and Penthouse World Publishing LLC. These entities are located at 8944 Mason Ave,  
14 Chatsworth, California 91311 and their manager/member is Robert Seifert, who is also  
15 a WGCZ executive.

16           26. Additionally, on information and belief, until 2020, one or more of the  
17 WGCZ Defendants owned and controlled VS Media, Inc., located at 1 Baxster Way,  
18 Westlake Village, CA 91362. VS Media, Inc. manages, operates and controls a webcam  
19 model domain/platform, connected to the XVideos infrastructure from their California  
20 headquarters.<sup>3</sup> In this regard, XVideos directs users, loaders, viewers, or otherwise  
21 anyone interested in becoming an “XVideos webcam model” to the California VS  
22 Media team stating, “[o]nce you click submit, a member of our Los Angeles-based staff  
23 will contact you to help you complete the setup process for new live cam models.”<sup>4</sup> VS  
24 Media invites anyone with questions to reach out to the “broadcast support team at  
25 broadcastsupport@vsmedia.com.”

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28           <sup>3</sup>See XVideos Cams, Start Camming on XVIDEOS Cams Today, [https://www.xvideos-cams.com/broadcasters.php?tracker=xv\\_info\\_external](https://www.xvideos-cams.com/broadcasters.php?tracker=xv_info_external) (last visited Aug. 13, 2024).

<sup>4</sup> *Id.*



1           27. In May 2020, WGCZ executives formed Worldweb Services, sro, a Czech  
2 company, for the purpose of owning VS Media, Inc, a U.S. entity. WorldWeb Services,  
3 s.r.o., was opened by a familiar XVideos Website Enterprise director, operator and/or  
4 executive, Robert William Seifert. The registered address for WorldWeb Services,  
5 s.r.o. is Krakovská 1366/25, Nové Město, 110 00 Prague.

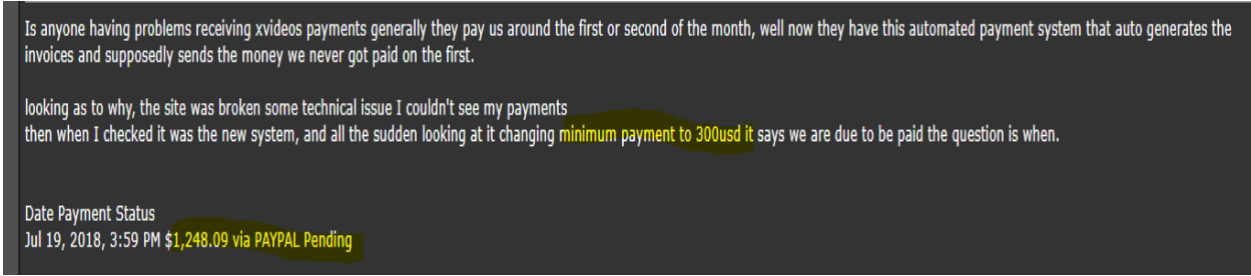
6           28. As explained below, VS Media, Inc. is the sole owner and/or operator of  
7 Defendant FBP Media s.r.o.

8           29. The entire Xvideos Website Enterprise depends on U.S. infrastructure and  
9 the website would not operate without U.S. services.

10           30. WGCZ consistently transacts business with California through the use of  
11 EPOCH, an internet payment service provider located at 3110 Main Street, Ste 220, in  
12 Santa Monica, California. EPOCH processes transactions and payments, including  
13 subscription payments, related to videos viewed, maintained, and otherwise utilized by  
14 the XVideos platform. Such transactional processing with EPOCH, a U.S. business,  
15 would require the WGCZ to open and maintain a U.S. merchant account before doing  
16 business with customers in California. A merchant account is a bank account opened  
17 by businesses like WGCZ Defendants, so their payment processor has somewhere to  
18 deposit received funds. Businesses opening merchant accounts with the intention of  
19 doing business in the U.S. generally have to demonstrate that they are legitimate and  
20 have a history of successful customer transactions.

21           31. Further, until April 2021, WGCZ Defendants consistently and  
22 systematically transacted business in California through their business relationship  
23 with PayPal. PayPal, a California corporation, was used by WGCZ Defendants to  
24 receive compensation from advertisers for advertisements placed on the XVideos  
25 website, including those that advertised CSAM, and to pay out compensation (in US  
26 dollars) to uploaders and users of the XVideos website. WGCZ Defendants, through  
27 the XVideos platform, generated hundreds of millions of U.S. dollars from the financial  
28 activities with PayPal related to videos and operations on XVideos, which were

1 processed through Paypal in California, including class members' videos containing  
2 CSAM and Plaintiff's video.<sup>5</sup>



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32. WGCZ Defendants transact business in California and as such are required to register as a business entity in California. WGCZ benefits by transacting business in the United States, including California. WGCZ has either disregarded the corporate law and requirements to do business in California by failing to register in California or are actually registered in California operating as VS Media.

33. Google, another California corporation located in Mountain View California, hosts XVideos email servers, specifically moving email to the recipients and/or storage.

34. SendGrid, now known as Twillio - SendGrid, located in Irvine, California creates and hosts emails with XVideos, which may include, but not be limited to, transactional emails with XVideos, automated emails, new account details, account confirmations, and forgotten passwords.

35. As described in more detail below, ServerStack, a wholly-owned subsidiary of DigitalOcean, conducts work and provides services on behalf of Defendants. Both ServerStack and DigitalOcean are located, incorporated, and have their principal places of business in the United States.

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<sup>5</sup> Nicholas Kristoff, *Why Do We Let Corporations Profit from Rape Videos?*, N.Y. Times, Apr. 18, 2021, at <https://www.nytimes.com/2021/04/16/opinion/sunday/companies-online-rape-videos.html>. (last visited Aug. 12, 2024).





1 36. Upon information and belief, WGCZ Defendants also incorporated and  
 2 used as shells in its corporate scheme other U.S. pornography businesses, such as  
 3 Donamis, LLC and MHUB1, LLC, which are both registered and located in Miami,  
 4 Florida.

5 37. Furthermore, WGCZ was issued a U.S. trademark to protect its XVideos  
 6 websites including XVideos Website Enterprise domains XVideos.com, Xxxx.com,  
 7 Xvideosdaily.com, and Xvideostoday.net. XVideos has brought numerous complaints  
 8 under U.S. trademark law to avail themselves of these protections. In most of these  
 9 complaints, WGCZ is described as a U.S. company, located in Las Vegas, Nevada,<sup>6</sup>  
 10 and described once as located in Miami, Florida.<sup>7</sup>

11 38. In a 2016 copyright case brought against WGCZ in the District of Nevada,  
 12 Robert Seifert, a WGCZ executive and self-described administrative director for the  
 13 WGCZ Defendants, challenged Nevada jurisdiction despite the prior trademark cases,  
 14 claiming that the World Intellectual Property Organization (WIPO) made a mistake in  
 15 its description of the parties.<sup>8</sup> Seifert stated that WIPO must have interpreted WGCZ's  
 16 attorney's offices in Las Vegas as its location as well. Seifert went on to claim that  
 17 "WGCZ has never represented that it is a resident of Las Vegas, Nevada because it is  
 18 not."<sup>9</sup> However, WGCZ sought correction of this so-called mistake in only one WIPO  
 19 case which named its related entity, NKL,<sup>10</sup> and never sought a similar correction in  
 20

21 <sup>6</sup> *WGCZ SRO v. EAG*, Case No. DES2016-0022, World Intell. Prop. Org. Arb. & Mediation  
 22 Ctr. (Expert Decision issued Oct. 21, 2016),  
<https://www.wipo.int/amc/en/domains/decisions/text/2016/des2016-0022.html>.

23 <sup>7</sup> *WGCZ S.R.O. v. Registration Provate, Domains By Proxy, LLC / Rafael Santos*, Case No.  
 24 D2017-1870, World Intell. Prop. Org. Arb. & Mediation Ctr. (Admin. Panel Decision issued Nov.  
 23, 2017), <https://www.wipo.int/amc/en/domains/decisions/text/2017/d2017-1870.html>.

25 <sup>8</sup> From Declaration of Robert Seifert in support of Defendant WGCZ, S.R.O.'s 12(b)(2) MTD  
 26 at ¶5, *Hydrenta HLP Int. Limited v. WGCZ, S.R.O.*, Case No. 2:15-cv-01250-LDG-(NJK) (D. Nev.  
 26 July 26, 2016). Note, the jurisdiction question in this case was never answered as the case was  
 voluntarily dismissed by plaintiffs.

27 <sup>9</sup> *Id.*

28 <sup>10</sup> *NKL Assocs. S.R.O. v. WhoIsProtectService.net Protectservice, Ltd. / Mark Frolov*, Case  
 No. D2015-0407, World Intell. Prop. Org. Arb. & Mediation Ctr. (Admin. Panel Decision issued May  
 6, 2015), <https://www.wipo.int/amc/en/domains/search/text.jsp?case=D2015-0407>.

1 the many other cases describing WGCZ as a U.S. company.

2 39. Besides the case where this correction occurred and one other entry,<sup>11</sup>  
 3 WGCZ otherwise describes itself in the above-referenced trademark cases as a U.S.  
 4 company. The fact that they are only named as a Czech company one time is less an  
 5 indication of error, as Seifert claims, and more an indication that they have multiple  
 6 business locations, including in the U.S.

7 40. Seifert and WGCZ argue that WIPO is only accurate the one time it  
 8 described WGCZ as being from the Czech Republic, yet WIPO is somehow inaccurate  
 9 the 16 times it describes WGCZ as having a U.S. location.<sup>12</sup>  
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12 <sup>11</sup> *WGCZ S.R.O. v. Timothy Hunt, Payvs Ltd.*, Case No. DTV2014-0006, World Intell. Prop.  
 13 Org. Arb. & Mediation Ctr. (Admin. Panel Decision issued Dec. 3, 2014),  
 14 <https://www.wipo.int/amc/en/domains/search/text.jsp?case=DTV2014-0006>.

15 <sup>12</sup> *WGCZ S.R.O. v. Registration Provate, Domains By Proxy, LLC / Rafael Santos*, Case No.  
 16 D2017-1870, World Intell. Prop. Org. Arb. & Mediation Ctr. (Admin. Panel Decision issued Nov.  
 17 23, 2017),

18 <https://www.wipo.int/amc/en/domains/decisions/text/2017/d2017-1870.html>; *WGCZ S.R.O. v. Anna*  
 19 *Zizek c/o Dynadot*, Case No. D2019-0923, World Intell. Prop. Org. Arb. & Mediation Ctr. (Admin.  
 20 Panel Decision issued June 12, 2019),

21 <https://www.wipo.int/amc/en/domains/decisions/text/2019/d2019-0923.html>; *WGCZ S.R.O. v.*  
 22 *Worldwide Media, Inc.*, Case No. D2014-0428, World Intell. Prop. Org. Arb. & Mediation Ctr.  
 23 (Admin. Panel Decision issued June 11, 2014),

24 <https://www.wipo.int/amc/en/domains/decisions/text/2014/d2014-0428.html>; *WGCZ S.R.O. v.*  
 25 *WhoIs Agent, Profile Group*, Case No. D2014-0665, World Intell. Prop. Org. Arb. & Mediation Ctr.  
 26 (Admin. Panel Decision issued July 2, 2014)

27 <https://www.wipo.int/amc/en/domains/decisions/text/2014/d2014-0665.html>; *WGCZ S.R.O. v.*  
 28 *WhoIsProtectService.net / Ivan Makarov*, Case No. D2014-0468, World Intell. Prop. Org. Arb. &  
 Mediation Ctr. (Admin. Panel Decision issued June 10, 2014),

<https://www.wipo.int/amc/en/domains/decisions/text/2014/d2014-0468.html>; *WGCZ S.R.O. v.*  
*WhoIsProtectService.net Protectservice, Ltd. / Jose Rodriguez*, Case No. D2014-0550, World Intell.  
 Prop. Org. Arb. & Mediation Ctr. (Admin. Panel Decision issued June 20, 2014),

<https://www.wipo.int/amc/en/domains/decisions/text/2014/d2014-0550.html>; *WgcZ S.R.O. v. Balazs*  
*Suhajda*, Case No. DCO2020-0002, World Intell. Prop. Org. Arb. & Mediation Ctr. (Admin. Panel  
 Decision issued Mar. 16, 2020), [https://www.wipo.int/amc/en/domains/decisions/text/2020/dco2020-](https://www.wipo.int/amc/en/domains/decisions/text/2020/dco2020-0002.html)

[0002.html](https://www.wipo.int/amc/en/domains/decisions/text/2020/dco2020-0002.html); *WGCZ SRO v. EAG*, Case No. DES2016-0022, World Intell. Prop. Org. Arb. & Mediation  
 Ctr. (Expert Decision issued Oct. 21, 2016),

<https://www.wipo.int/amc/en/domains/decisions/text/2016/des2016-0022.html>; *NKL Assocs. S.R.O.*  
*v. Domain Adm'r, Fundacion Privacy Servs. LTD*, Case No. D2020-0416, World Intell. Prop. Org.  
 Arb. & Mediation Ctr. (Admin. Panel Decision issued Apr. 7, 2020), <https://www.wipo.int/amc/en/domains/search/text.jsp?case=D2020-0416>; *WGCZ S.R.O. v.*



1 41. The sex trafficking of Plaintiff, from which Defendants have directly  
2 benefited and actively participated in violation of 18 U.S.C. §§ 1591 and 1595,  
3 occurred in California.

4 42. The CSAM of Plaintiff, including the videos and depictions of Plaintiff’s  
5 rape, sex trafficking and sexual exploitation on XVideos and XNXX, were filmed in  
6 California.

7 43. Defendants have reached into California and the United States to solicit  
8 and initiate business, including through globally accessible websites that are accessed  
9 and used in California and the United States on a regular basis.

10 44. Defendants have engaged in significant, long-term business activity  
11 purposefully directed toward California and the United States, including through the  
12 maintenance of interactive websites that are directed at and accessible to residents of  
13 California and the United States.

14 45. The visitors’ [or members’] acts of accessing the Defendants’ websites  
15 constitute commercial relationships with Defendants, who ultimately profit from  
16 \_\_\_\_\_

17 *WhoIsProtectService.net Protect serv., Ltd./AVO Ltd.*, Case No. D2014-0549, World Intell. Prop.  
18 Org. Arb. & Mediation Ctr. (Admin. Panel Decision issued June 15, 2014),  
19 <http://www.wipo.int/amc/en/domains/search/text.jsp?case=D2014-0549>; *WGCZ S.R.O. v. Marcel*  
20 *Pondi / WhoIsProtectService.net Protectservice, Ltd.*, Case No. D2014-0491, World Intell. Prop. Org.  
21 Arb. & Mediation Ctr. (Admin. Panel Decision issued June 10, 2014),  
22 <https://www.wipo.int/amc/en/domains/search/text.jsp?case=D2014-0491>; *WGCZ S.R.O. v.*  
23 *WhoIsProtectService.net Protectservice, Ltd. / AVO Ltd AVO Ltd*, Case No. D2014-0545, World  
24 Intell. Prop. Org. Arb. & Mediation Ctr. (Admin. Panel Decision issued June 10, 2014),  
25 <https://www.wipo.int/amc/en/domains/search/text.jsp?case=D2014-0545>; *NKL Assocs. S.R.O. v.*  
26 *Ivan Misheveckiy, Case No. D2015-0495*, World Intell. Prop. Org. Arb. & Mediation Ctr. (Admin.  
27 Panel Decision issued May 8, 2015),  
28 <https://www.wipo.int/amc/en/domains/search/text.jsp?case=D2015-0495>; *NKL Assocs. S.R.O. v.*  
*Network Admin, XPRON Media*, Case No. D2015-0503, World Intell. Prop. Org. Arb. & Mediation  
Ctr. (Admin. Panel Decision issued May 13, 2015),  
<https://www.wipo.int/amc/en/domains/search/text.jsp?case=D2015-0503>; *NKL Assocs. S.R.O. v.*  
*WhoIsProtectService.net Protectservice, Ltd. / Andrey Kuzmenko*, Case No. D2015-0405, World  
Intell. Prop. Org. Arb. & Mediation Ctr. (Admin. Panel Decision issued May 18, 2015),  
<https://www.wipo.int/amc/en/domains/search/text.jsp?case=D2015-0405>; *NKL Assocs. S.R.O. v.*  
*Web Manager, EUMedia*, Case No. D2020-0417, World Intell. Prop. Org. Arb. & Mediation Ctr.  
(Admin. Panel Decision issued Apr. 17, 2020),  
<https://www.wipo.int/amc/en/domains/search/text.jsp?case=D2020-0417>.

1 visitors [or members or both] by selling/directing advertising, collecting  
2 membership/access fees, etc.

3 46. Defendants have knowingly created, maintained, and profited from the  
4 globally accessible XVideos websites, including associated domains that Californians  
5 and other United States residents use to access pornography, including CSAM.

6 47. The sex trafficking and sexual exploitation of Plaintiff (and members of  
7 the putative plaintiff class) and Defendants' actions in violation of the TVPRA and 18  
8 U.S.C. §§ 2252 & 2252A occurred, in significant part, in California and throughout the  
9 United States, causing the infliction of actionable harm and injury to Plaintiff in  
10 California where Plaintiff resides.

11 48. Defendants are present and conduct business in California and the United  
12 States as part of an integrated enterprise of entities that own, maintain, operate, assist,  
13 develop, and support globally accessible websites that disseminate and provide  
14 sexually explicit images and videos, including CSAM, to users in California and from  
15 which Defendants directly benefit and profit.

16 49. Defendants' activities in California and the United States are continuous  
17 and systematic. Defendants have purposefully availed themselves of the jurisdiction of  
18 the United States and have purposefully directed their activities toward the United  
19 States. There is a substantial nexus between Jane Doe's claims and Defendants'  
20 activities.

21 50. Defendants participated in an effort to store, distribute, disseminate,  
22 develop, optimize, advertise, market, sell, create, facilitate, benefit and profit from  
23 CSAM on its websites while also encouraging benefits and profits to sex traffickers,  
24 including Plaintiff's trafficker.

25 51. As set forth in more detail below, WGCZ acts as the alter ego of its  
26 subsidiaries, "related parties", U.S. entities, and foreign counterparts and together act  
27 as a website enterprise under common control with integrated business resources in  
28 pursuit of a single business purpose.



1 52. Venue is proper in this district pursuant to 28 U.S.C. § 1391 and 18 U.S.C.  
2 § 2255(c) because a substantial part of the events or omissions giving rise to the claims  
3 asserted in this action occurred in the judicial district where this action is brought.

4 **PARTIES**

5 53. Plaintiff Jane Doe is an individual who is now the age of majority under  
6 California law and presently resides in California. Plaintiff is a victim of child sex  
7 trafficking and the creation of child pornography under applicable law. She is also a  
8 courageous survivor willing to step forward and tell her story in the interests of justice  
9 and out of concern for other survivors.

10 54. Due to the sensitive, private nature of Plaintiff's allegations, and the  
11 potential for harmful retaliation against her, Plaintiff requested this Court permit her to  
12 proceed under a pseudonym. The Court granted Plaintiff permission to proceed under  
13 pseudonym on January 3, 2022. Doc. 160.

14 55. WGCZ includes a number of intertwined and related entities who have  
15 developed, operated and controlled the XVideos Website Enterprise.

16 a. **Defendant WebGroup Czech Republic, a.s.** (formerly WGCZ, s.r.o. and  
17 WGCZ, a.s.), with a place of business at Krakovská 1366/25, Nové Město, 110 00  
18 Prague, and owned and/or managed by Stephane Pacaud, Marjorie Grocq, Robert  
19 Seifert, and formerly by Malorie Pacaud, LK Management Limited; Konečná & Zacha,  
20 s.r.o., law office, IČ; and Kateřina Pokorná. WebGroup Czech Republic, a.s. owns the  
21 XVideos trademarks.

22 b. **Defendant WGCZ Holding, a.s.**, with a place of business at Krakovská  
23 1366/25, Nové Město, 110 00 Prague, and owned and/or managed by Stephane Pacaud,  
24 Marjorie Grocq, Robert Seifert, and formerly also by Malorie Pacaud. WGCZ Holding,  
25 a.s., as of 2018, owns 100% interest in Defendant GTFlixTV, s.r.o., and WGCZ  
26 Holding had a long-term loan agreement with GTFlix identified and calculated in  
27 "USD" (US Dollars). WGCZ, a.s., NKL Associates, s.r.o., and Web Group Limited  
28 each had loans with WGCZ Holding a.s. as of its 2019 annual report.



1 c. **Defendant WGCZ Limited, s.r.o.**, with a place of business at Krakovská  
2 1366/25, Nové Město, 110 00 Prague, and owned and/or managed by Stephane Pacaud,  
3 Robert Seifert, and WGCZ Holding, a.s.

4 d. **Defendant NKL Associates s.r.o.**, with a place of business at Krakovská  
5 1366/25, Nové Město, 110 00 Prague, and owned and/or managed by Stephane Pacaud,  
6 Marjorie Grocq, Robert Seifert, and formerly LK Management Limited. NKL  
7 Associates s.r.o. owns the XNXX trademarks.

8 e. **Defendant Traffic F, s.r.o.**, with a place of business at Krakovská  
9 1366/25, Nové Město, 110 00 Prague, and owned and/or managed by Stephane Pacaud,  
10 Robert Seifert, and formerly by Malorie Pacaud, LK Management, Limited, and Robert  
11 Caroll. Traffic F, s.r.o. currently owns Traffic Factory, which is essentially XVideos  
12 with a separate landing page for the ease of would-be advertisers and investors to find  
13 them more readily. Traffic Factory’s page is in English and it owns the Traffic Factory  
14 U.S. trademark. Traffic F also owns 100% of the shares of MME Traffic, s.r.o. MME  
15 Traffic, s.r.o. is located at the same address of Krakovská 1366/25, Nové Město, 110  
16 00 Prague and is owned and/or managed by Malorie Deborah Pacaud and Robert  
17 William Seifert. As of WGCZ’s 2019 annual report, MME Traffic, s.r.o. is listed as  
18 having a contract on being the “clearing centre” for WGCZ and XVideos.

19 f. **Defendant GTFlix TV, s.r.o.**, with a place of business at Krakovská  
20 1366/25, Nové Město, 110 00 Prague, and owned and/or managed by Marjorie Grocq  
21 and WGCZ Holding, a.s., and formerly by Malorie Pacaud, Zeus Trade, s.r.o.; Danylo  
22 Kucherenko; Sofya Koroleva; Web Group Limited; Pedro Javier Vazquez Hernandez;  
23 Ing. Šárka Matoušková. GTFlix, TV, s.r.o. owns the Legal Porno U.S. trademarks. In  
24 addition to the GTFlix TV’s domain association, operations and development within  
25 the XVideos Website Enterprise, WGCZ’s annual report in 2018 identifies GTFlix as  
26 a holder of a long-term loan which had been calculated into USD.

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1 g. **Defendant FTCP, s.r.o.** (formerly FLIRT4FREE.cz, s.r.o.), with a place  
2 of business at Vodičkova 791/41, Nové Město, 110 00 Prague, and owned and/or  
3 managed by Helena Luňáková and Miroslav Mrňa, and formerly Online Services LTD.

4 h. **Defendant HC Media, s.r.o.**, with a place of business at Vodičkova  
5 791/41, Nové Město, 110 00 Prague, is owned and/or managed by Miroslav Mrňa; Ing.  
6 Lucie Hrdinová, and HC Multimedia, LLC; and formerly FBP Media s.r.o. HC  
7 Multimedia, LLC is located in California.

8 i. **Defendant FBP Media, s.r.o.**, with a place of business at Vodičkova  
9 791/41, Nové Město, 110 00 Prague, is owned and/or managed by Miroslav Mrňa; Ing.  
10 Lucie Hrdinová, and VS Media, Inc. VS Media, Inc. is located in California.

11 56. The WGCZ entities described in the above paragraph operate as a single  
12 enterprise with no independent will of their own and commonly engage in a blatant  
13 abuse of the corporate form through repeated corporate shape-shifting: altering their  
14 names, switching directors around, and deleting some corporations and forming others.

15 a. To take just the example of Defendant WebGroup Czech Republic, a.s.:

16 i. In December 2012, Defendant WebGroup Czech Republic, a.s. was  
17 created and established under the name Deacon s.r.o.

18 ii. In March 2013, Deacon s.r.o. changed its name to WGCZ, s.r.o.

19 iii. Between 2014 and 2017 Stephane Michael Pacaud LK Management Ltd  
20 registered and re-registered themselves as owners of WGCZ, s.r.o. numerous times,  
21 each time with a change of address and a 1% difference in ownership.

22 iv. Upon information and belief, Traffic Factory (now owned by Defendant  
23 Traffic F, s.r.o.) was created by WGCZ, s.r.o. and, in 2014, the contact information  
24 page on Traffic Factory's website listed WGCZ, s.r.o. as the sole point of contact.

25 v. Then in 2017, WGCZ, s.r.o. becomes a joint stock company, WGCZ, a.s.,  
26 with Stephane Michael Pacaud and Malorie Deborah Pacaud as the only shareholders.  
27 On information and belief, all of the shares were placed in the same account.

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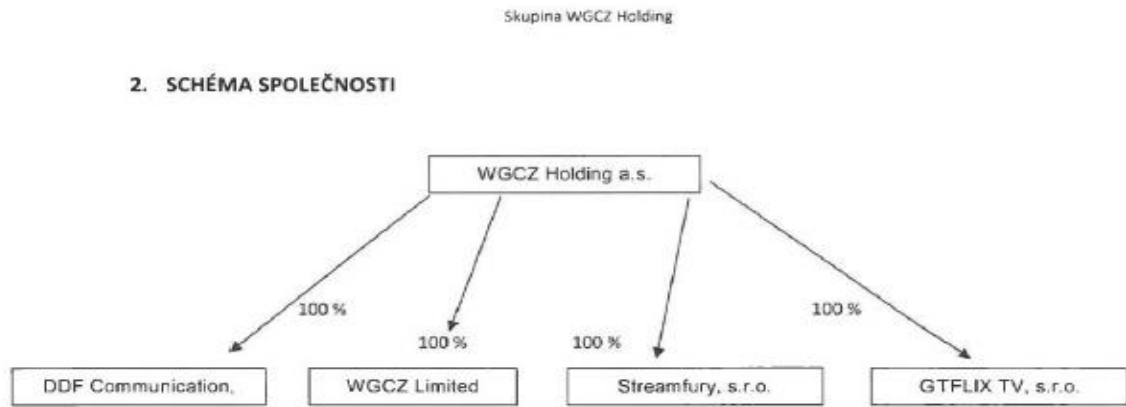


1 vi. In 2018, WGCZ, a.s. submitted financial documents to the Czech  
 2 Republic Ministry of Justice for itself that were, in actuality, financial documents of  
 3 WGCZ Limited, s.r.o.

4 vii. In 2020, WGCZ, a.s. changed its name to WebGroup Czech Republic, a.s.,  
 5 and on August 31, 2021, Malorie Deborah Pacaud was deleted from the board of  
 6 directors, and Robert Seifert was entered as a board member and deleted as a proxy.

7 b. Another example is that of BangBros, a Miami-based pornography studio.  
 8 BangBros is owned by Sonesta Technologies, s.r.o., which was registered on July 26,  
 9 2017 with Robert Seifert and later Malorie Deborah Pacaud as managing directors.<sup>13</sup>  
 10 The company is listed as United Communication Hldg II a.s., which also has Robert  
 11 Seifert and Malorie Deborah Pacaud as board members. Seifert and Malorie Deborah  
 12 Pacaud are also listed as the managing directors for Sonesta Media, s.r.o. and Sonesta  
 13 Limited, s.r.o. (which owns the BangBros trademarks), and as board members for  
 14 United Communication Hldg, a.s. and United Communication Holding III, a.s.

15 c. Based on an audit of WGCZ Holdings, a.s. in 2018, WGCZ commingled  
 16 funds or otherwise had long-term loans with subsidiaries and “related entities”.



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27 <sup>13</sup> BangBros.com, Inc., a Florida company, was renamed Sonesta Technologies, Inc. in 2014,  
 28 with Jeffrey Greenberg and Andrew Hendrixson listed as board members. Greenberg is a well-known  
 Miami pornographer, who has owned and/or directed both BangBros and Reality Kings, another  
 popular pornography studio based in Miami and owned by WGCZ’s main competitor, Aylo.



1 57. Specifically, an example of commingling the funds with wholly owned  
 2 subsidiaries, is further illustrated in the report that, when translated, indicates that  
 3 WGCZ is the exclusive holding of mutual receivables and liabilities from the parent  
 4 company's loan to individual subsidiaries. These loans were non-interest bearing and  
 5 maintained long-term. On the subsidiaries side, loans are maintained as long-term  
 6 liabilities to the shareholders.

#### 7 6. VYLOUČENÍ VZÁJEMNÝCH VZTAHŮ

8 Hlavní úpravou v Holdingu WGCZ je vyloučení vzájemných pohledávek a závazků z titulu půjčky mateřské  
 9 společnost jednotlivým dcerám. Mateřská společnost má pohledávky. Tyto půjčky nebyly úročeny a jsou  
 vedené jako dlouhodobé. Na straně dcer jsou tyto půjčky vedené jako dlouhodobé závazky ke společníkům.

10 Seznam vyloučených pohledávek/ závazků na straně dceřiných společností

Aktiva WGCZ Holding, a.s.		PZ	MD	DAL	KZ
účet	společnost				
378200	Loan Streamfury USD	111 016 870,00	63 679 130,00	27 149 370,00	147 546 630,00
378220	Loan Streamfury CZK	500 000,00	-	-	500 000,00
378240	Loan Streamfury EUR	8 106 000,00	24 000,00	468 000,00	7 662 000,00
378400	Loan GTFLIX - USD	37 176 550,00	629 300,00	6 933 900,00	30 871 950,00
378500	Loan DDF Network - EUR	18 914 000,00	56 000,00	1 092 000,00	17 878 000,00
378510	Loan DDF Network - USD	7 691 700,00	130 200,00	1 434 600,00	6 387 300,00
378520	Loan DDF Network - CZK	1 000 000,00	-	-	1 000 000,00
<b>37x</b>		<b>184 405 120,00</b>	<b>64 518 630,00</b>	<b>37 077 870,00</b>	<b>211 845 880,00</b>

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 15 58. Further, the 2019 annual report shows the following agreements continued  
 16 and were still in place with wholly owned subsidiaries as well as other related entities.



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**vztahy mezi propojenými osobami**

m účetním období byly mezi Společností a Ovládací osobou nebo mezi Společností a Propojenými  
 řeny nebo byly v platnosti následující smlouvy:

pojenými osobami:

WG CZ, a.s.

aa) Loan agreement

NKL Associates, s.r.o.

ba) Loan agreement

Streamfury, s.r.o.

ca) Loan agreement

WEB GROUP LIMITED

da) Loan agreement

GTFLIX TV, s.r.o.

ea) Loan agreement

DDF Communication, s.r.o.

fa) Loan agreement

SP Box, s.r.o.

ga) Loan agreement

Content SPV, s.r.o.

ha) Loan agreement

MME Traffic, s.r.o.

ia) Contract on clearing centre

59. In addition to the use of the same corporate officers, similar addresses, WGCZ reported in its 2019 annual report as roughly translated, that the relationship between the Subsidiaries and Related Parties provides advantages for the Company (WGCZ) in particular a significant position in the market, “use of know-how between connected persons, administrative simplification, and optimization of personal resources.” In this period the company (WGCZ) did not incur any loss as a result of the “influence” of related parties.

**5. Zhodnocení výhod a nevýhod plynoucích ze vztahů dle ustanovení § 82 odst. 2 písm. f) a odst. 4 ZOK**

Ze vztahů mezi Propojenými osobami plynou pro Společnost výhody, především významné postavení na trhu, využití know-how mezi Propojenými osobami, administrativní zjednodušení a optimalizace personálních zdrojů

V Účetním období nevznikla Společnosti žádná újma v důsledku vlivu některé z Propojených osob.

Společnosti neplynou ze vztahů mezi Propojenými osobami žádné nevýhody a ani žádná rizika.



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60. Each of the WGCZ Defendants are related corporations that operate as a single enterprise, act as the alter egos of the others, and essentially as mere conduits whose actions were controlled and ratified by the principals the Pacauds. The WGCZ entities have created a complex corporate structure designed to operate interactive commercial websites, offer memberships, create content, and transact other related business throughout the world and the United States, including specific business contacts with persons in California.

61. Defendants conspired, participated in, facilitated, and financially benefited from participating in a venture they knew (or were in reckless disregard) was child sex trafficking and exploitation. In these ventures, Jane Doe and other minors were trafficked and commercially exploited for sex, in violation of law, including but not limited to, the TVPRA, 18 U.S.C. § 1591, *et seq.*

62. Defendants, through the development and active management of the XVideos Website Enterprise, knowingly participated in, benefited and profited from commercial sex acts, child pornography, and sex trafficking involving the Plaintiff and Class members.

**Alter Ego and Joint Tortfeasors**

***The WGCZ Defendants***

63. The WGCZ Defendants are alter egos, representatives, agents, or co-conspirators of each other.

64. The WGCZ Defendants, are a single and joint employer with a high degree of interrelated, intermingled, and unified operations for the pornography sites used to benefit from Plaintiff’s trafficking.

65. The WGCZ Defendants lack any material independence as corporate entities. They are operated as a single enterprise with WebGroup Czech Republic, a.s., directing the operations and financial policies of all of the WGCZ Defendants such that they use integrated resources in pursuit of a single business purpose.

1 66. The WGCZ Defendants created a sham to perpetrate fraud and avoid  
2 liability and as stated below have failed to observe corporate formalities.

3 67. The WGCZ Defendants employ or ratify the employment of individuals  
4 through horizontal joint employment and or vertical joint employment.

5 68. As an integrated enterprise and or joint employer, the WGCZ Defendants  
6 are separately and jointly responsible for compliance with all applicable laws.

7 69. As an integrated enterprise, the WGCZ Defendants are jointly and  
8 severally liable for any damages.

9 ***U.S. Company ServerStack Conducts Work on Behalf of the WGCZ Defendants***

10 70. ServerStack, Inc. (“ServerStack”) is a wholly owned subsidiary of Digital  
11 Ocean, Inc., and at all relevant times was, a corporation existing under the laws of  
12 Delaware as a Domestic Business, and having its registered agent Corporation Service  
13 Company located at 80 State Street, Albany, New York 12207-2543 and its principal  
14 place of business at 101 Avenue of the Americas, 10th floor, New York, New York,  
15 10013. ServerStack is doing business in California through its data center located in  
16 San Jose, California.

17 71. Digital Ocean, LLC, f/k/a Digital Ocean, Inc, is a wholly owned  
18 subsidiary of Digital Holdings, Inc. Digital Ocean, Inc., was organized under the laws  
19 of Delaware in 2012, having a principal place of business at 101 Avenue of the  
20 Americas, 10th Floor, New York, New York, 10013, until it was reorganized as Digital  
21 Ocean, LLC., a foreign limited liability company, with its registered agent at  
22 Corporation Service Company, 80 State Street, Albany, New York 12207.

23 72. WGCZ partnered with ServerStack to help grow their business.  
24 ServerStack helped grow the WGCZ business by providing growth consulting services,  
25 developing a full service infrastructure and active management services for XVideos  
26 and its related pornography affiliates, including XNXX and the marketing arm, Traffic  
27 Factory, which included analyzing content, indexing and categorizing data, developing  
28 and offering content to assist advertisers, and developing sophisticated software to





1 maximize XVideos growth and profit.

2 73. As identified on ServerStack’s website,<sup>14</sup> ServerStack’s network and  
3 servers physically reside in New Jersey, San Jose, CA, and Amsterdam.

4 74. ServerStack reported running tests at their facilities in the metro area of  
5 San Jose, California.

6 75. At least by 2008, ServerStack became a server host provider for the  
7 XVideos Website Enterprise, including domains and affiliates, and, as of 2010, became  
8 the server host provider, and currently maintains that status. In 2013, ServerStack was  
9 bought by DigitalOcean, Inc. and continued to be wholly owned, operated, and  
10 controlled by DigitalOcean, Inc., until DigitalOcean, Inc. was terminated, and  
11 reorganized, and relabeled into Digital Ocean, LLC and Digital Ocean Holdings, Inc.

12 76. During reorganization in February 2018, Ben Uretsky, the owner, CEO,  
13 and creator of ServerStack and DigitalOcean, Inc. formed the ultimate parent company,  
14 Digital Ocean Holdings, Inc.

15 77. Ben Uretsky described the partnership with its website clients as follows:  
16 [T]he first company that I started in 2003 was called ServerStack... we  
17 monitored and took care of that entire environment, provided a 100%  
18 uptime SLA, took care of back up security, capacity planning, network  
19 expansion, *just everything that falls within IT management and*  
20 *helped our customers grow their business*. And so what was great  
21 about that business was that as you sign up that first customer, more  
22 often than not, they continued to grow their business, so each month,  
23 each account produces more revenue and the goal is to get as many  
24 more accounts as you can.<sup>15</sup>

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27 <sup>14</sup> ServerStack, *About ServerStack*, at <https://www.serverstack.com/about.html> (last visited  
28 Aug. 13, 2024).

<sup>15</sup> Anastasia Belyh, *DigitalOcean Interview with its CEO - Ben Uretsky*, Cleverism (Updated  
March 26, 2016), at <https://www.cleverism.com/digitalocean-interview-ceo-ben-uretsky/>.











1 78. ServerStack ceased operating independently of DigitalOcean when it was  
 2 purchased in 2013. Upon information and belief, communications with ServerStack  
 3 necessarily go to DigitalOcean in California.

4 79. Server providers, including ServerStack, are required by the Internet  
 5 Corporation for Assigned Names and Numbers and American Registry for Internet  
 6 Numbers to register abuse contact information for content on related IP addresses.

7 80. The IP addresses for ServerStack, Inc. includes a block of IP ranges for  
 8 DigitalOcean.<sup>16</sup>

9

10 **IP Address Ranges** IPv4 Ranges IPv6 Ranges

NETBLOCK	COMPANY	NUM OF IPS
<a href="#">141.0.168.0/24</a>	 Amsterdam ServerStack	256
<a href="#">141.0.171.0/24</a>	 Amsterdam ServerStack	256
<a href="#">141.0.172.0/22</a>	 Amsterdam ServerStack	1,024
<a href="#">141.0.174.0/24</a>	 Amsterdam ServerStack	256
<a href="#">185.88.180.0/22</a>	 ServerStack, Inc.	1,024
<a href="#">199.4.223.0/24</a>	 DigitalOcean, LLC	256
<a href="#">69.55.48.0/24</a>	 ServerStack, Inc.	256
<a href="#">69.55.50.0/24</a>	 ServerStack, Inc.	256
<a href="#">69.55.51.0/24</a>	 ServerStack, Inc.	256
<a href="#">69.55.52.0/24</a>	 ServerStack, Inc.	256

23 Show more IP ranges

24 81. As identified within the data at the office of the IP registrar, if someone  
 25 wanted to report CSAM or sex trafficking for the XVideos Website Enterprise, upon  
 26

27 \_\_\_\_\_  
 28 <sup>16</sup> See <https://ipinfo.io/AS46652>. (last visited 8/14/2024); See also, prior screenshot from 5/2021.



1 information and belief, they could go to the registrar website and report to ServerStack  
 2 at either [abuse@serverstack.com](mailto:abuse@serverstack.com) or [Abuse@digitalocean.com](mailto:Abuse@digitalocean.com).

3 82. The latest block of IP addresses requested for ServerStack and XVideos  
 4 website content were relabeled for DigitalOcean, Inc. Currently, the XVideos Website  
 5 Enterprise is being maintained by ServerStack under the following domains:

**Hosted Domains**

7 There are 920 domain names hosted across 31 IP addresses on this ASN. [Checkout our API](#) to access full domain hosting  
 8 information.

IP ADDRESS	DOMAIN	DOMAINS ON THIS IP
<a href="#">185.88.181.59</a>	xnxx.com	109
<a href="#">185.88.181.58</a>	xnxx.com	107
<a href="#">185.88.181.60</a>	xnxx.com	105
<a href="#">185.88.181.53</a>	xnxx.com	104
<a href="#">185.88.181.54</a>	xnxx.com	96
<a href="#">185.88.181.57</a>	xnxx.com	90
<a href="#">185.88.181.55</a>	xnxx.com	86
<a href="#">185.88.181.9</a>	xvideos.com	78
<a href="#">185.88.181.4</a>	xvideos.com	77
<a href="#">185.88.181.56</a>	xnxx.com	77

17 83. DNSDumpster.com, a domain research tool, indicates that significant  
 18 servers for the XVideos Website Enterprise are being maintained in the United States.<sup>17</sup>  
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28 <sup>17</sup> See DNS Dumpster, *dns recon & research, find and lookup dns records*, “xvideos.com”  
<https://dnsdumpster.com/> (last visited Aug. 14, 2024).



84. Limelight Network has contracted with DigitalOcean/ServerStack to be a CDN, which likely means that additional servers are located throughout the United States. CDNs work to take a copy of the original uploaded information on the site and original server with ServerStack and copy them so that content may be organized and located in such a manner to get it physically closer to the person searching for it - CDNs make a website and searching move faster.

### FACTUAL ALLEGATIONS

#### Sex trafficking minors, including through pornography, violates federal law

85. The United States Department of Justice estimates that pornographers have recorded the abuse of more than one million children in the United States.<sup>18</sup> The Internet has radically changed how child pornography is reproduced and disseminated:

The expansion of the Internet has led to an explosion in the market for child pornography, making it easier to create, access, and distribute these images of abuse. While ‘child pornography’ is the term commonly used by lawmakers, prosecutors, investigators and the public to describe this form of sexual exploitation of children, that term largely fails to describe the true horror that is faced by hundreds of

<sup>18</sup> Roger J.R. Levesque, *Sexual Abuse of Children: A Human Rights Perspective*, at 66 (Ind. Univ. Press 1999).





1 thousands of children every year. The child victims are first sexually  
2 assaulted in order to produce the vile, and often violent, images. They  
3 are then victimized again when these images of their sexual assault are  
4 traded over the Internet in massive numbers by like-minded people  
5 across the globe.<sup>19</sup>

6 86. In the United States, the National Center for Missing and Exploited  
7 Children (“NCMEC”) serves as the national clearinghouse for CSAM reports. NCMEC  
8 was created by an Act of Congress and is federally funded. NCMEC operates the  
9 “CyberTipline,” which gathers child sexual exploitation reports (including child  
10 pornography, online enticement, and contact offenses). Individuals and electronic  
11 service providers may report incidents of suspected child sex trafficking or CSAM to  
12 the CyberTipline. In 2024, the CyberTipline received over 82 million reports. NCMEC  
13 also operates the U.S. Child Victim Identification Program and, as of 2024, it had  
14 reviewed more than 322 million images and videos of CSAM.<sup>20</sup>

15 87. Through NCMEC’s database, more than 19,100 child victims have been  
16 identified by law enforcement.<sup>21</sup>

17 88. In 2000, Congress passed the Trafficking Victims Protection Act  
18 (“TVPA”). The TVPA was the first comprehensive law in the United States to penalize  
19 the full range of human trafficking offenses,<sup>22</sup> including sex trafficking of children  
20 under the age of 18 and sex trafficking by force, fraud, or coercion.<sup>23</sup>

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23 <sup>19</sup> U.S. Dep’t of Justice, *The National Strategy for Child Exploitation Prevention and*  
24 *Interdiction, A Report to Congress*, at 2-3 (Aug. 2010), at  
25 <https://www.justice.gov/psc/docs/natstrategyreport.pdf>.

26 <sup>20</sup> Child Sexual Abuse Material (CSAM), Nat’l Ctr. for Missing & Exploited Children,  
<https://www.missingkids.org/theissues/csam> (last visited Aug. 9, 2024).

27 <sup>21</sup> *Id.*

28 <sup>22</sup> See Victims of Trafficking and Violence Protection Act of 2000. Pub. L. No. 106-386, §  
102(a), 114 Stat. 1464, 1467(2000), available at  
<https://www.congress.gov/106/plaws/publ386/PLAW-106publ386.pdf>.

<sup>23</sup> See 18 U.S.C. § 1591(a).



1           89. The TVPA “aims to prevent trafficking in persons, provide protection and  
2 assistance to those who have been trafficked, and strengthen prosecution and  
3 punishment of those responsible for trafficking.” 146 Cong. Rec. S7781 (daily ed. July  
4 27, 2000) (statement of Sen. Wellstone).<sup>24</sup>

5           90. The findings of Congress in enacting the TVPA specifically identified  
6 that, “the degrading institution of slavery continues throughout the world.” And,  
7 “[t]rafficking in persons is a modern form of slavery, and it is the largest  
8 manifestation of slavery today. . . . Many of these persons are trafficked  
9 into the international sex trade . . . involving activities related to  
10 prostitution, **pornography**, sex tourism, and other commercial sexual  
11 services.”

12           *See supra* note 24. (emphasis added).

13           91. Congress reauthorized the TVPA in 2003 and created a civil cause of  
14 action, codified at 18 U.S.C. § 1595.<sup>25</sup>

15           92. The TVPRA, as amended in 2008, improved a victim’s ability to hold  
16 traffickers accountable, by eliminating the requirement to prove a particular defendant  
17 knew a sex trafficking victim was a minor, in cases where the defendant had a  
18 reasonable opportunity to observe the minor. The TVPRA also significantly expanded  
19 the civil cause of action and extended liability to those who financially benefit from  
20 sex trafficking.

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22           <sup>24</sup> *See also* 146 Cong. Rec. E697 (daily ed. May 10, 2000) (statement of Rep. Maloney) (“It  
23 is important that we protect the victims of the sex trade industry, and punish the predators that exploit  
24 the women. This bill takes a significant step towards making a difference in the lives of women around  
25 the world.”); 151 Cong. Rec. S14299 (daily ed. Dec. 21, 2005) (statement of Sen. Clinton) (TVPRA  
26 incorporates “the 3 P’s strategy—prevention of trafficking, prosecution of those that engage in these  
27 acts, and protection of the vulnerable individuals who have been trafficked”); M. Kappelhoff, *Federal  
Prosecutions of Human Trafficking Cases: Striking a Blow Against Modern Day Slavery*, 6 U. St.  
Thomas L.J. 9, 13 (Fall 2008) (“TVPA essentially codified a ‘victim-centered’ approach” to human  
trafficking”).

28           <sup>25</sup> *See* Trafficking Victims Protection Reauthorization Act of 2003, Pub. L. No. 108-193, §  
4(a)(4)(A), 117 Stat. 2875, 2878 (2003), available at <https://www.gpo.gov/fdsys/pkg/STATUTE-117/pdf/STATUTE-117-Pg2875.pdf>.



1           93. The focus of the TVPA—and the TVPRA, as amended in 2008—is the  
2 protection and assistance of sex trafficking victims, the prevention and deterrence of  
3 future sex trafficking, and the prosecution and punishment of traffickers. *See* 22 U.S.C.  
4 § 7101.

5           94. The TVPRA permits civil claims against perpetrators and against those  
6 who, although not direct perpetrators, knowingly benefit from participating in what  
7 they knew or should have known was a sex trafficking venture.<sup>26</sup>

8           95. The revised civil remedy provision allows sex trafficking survivors to sue  
9 anyone who benefits financially or receives anything of value from the violation.  
10 Survivors may sue the direct perpetrator *as well as anyone else* who “knowingly  
11 benefits, financially or by receiving anything of value from participation in a venture  
12 which that person *knew or should have known* has engaged in an act in violation of [the  
13 statute.]” 18 U.S.C. § 1595(a) (emphasis added).

14           96. Under 18 U.S.C. § 1591(e)(3) the term “commercial sex act” means any  
15 sex act, on account of which anything of value is given to or received by any person.  
16 18 U.S.C. § 1591(e)(3).

17           97. Section 1591(a)(1) and (a)(2) make it a crime to benefit, financially or by  
18 receiving anything of value, from participation in a venture which knowingly recruits,  
19 entices, harbors, transports, provides, obtains, maintains, advertises, patronizes, or  
20 solicits by any means a commercial sex act involving a person who is under 18 years  
21 old or a person induced by force, fraud, or coercion.<sup>27</sup> 18 U.S.C. § 1591(a)(1). Section  
22 1591(a)(2) also makes it a crime to knowingly benefit, financially or by receiving  
23 anything of value, from participation in a venture which has engaged in the acts  
24 described in § 1591(a)(1).

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

<sup>27</sup> Except for advertising offenses, “reckless disregard of the fact[s]” is a sufficient mens rea for any of these crimes. 18 U.S.C. § 1591(a).



1 98. Courts in this circuit have found that, “posting child pornography is a  
2 commercial sex act.” *Doe v. MindGeek USA Incorp. et al.*, Case No.: SACV 21-00338-  
3 CJC (ADSx), slip op. at 16 (C.D. Cal. Sept. 8, 2021); *see also Doe v. Twitter*, 2021 WL  
4 3675207, at \* 27 (N.D. Cal. Aug. 19, 2021).

5 99. In 2018, Congress passed a bill known as Fight Online Sex Trafficking  
6 Act (“FOSTA”) and Stop Enabling Sex Traffickers Act (“SESTA”) (collectively,  
7 “FOSTA/SESTA”) to amend 47 U.S.C. § 230, the Communications Decency Act, to  
8 clarify that it was never intended to provide immunity from civil lawsuits for websites  
9 that facilitate or profit from sex trafficking.<sup>28</sup> The FOSTA/SESTA amendment to  
10 Section 230 is retroactive, applying “regardless of whether the conduct alleged  
11 occurred, or is alleged to have occurred, before, on, or after ... enactment.”<sup>29</sup>

12 100. Plaintiff and the Class Members are sex trafficking victims under 18  
13 U.S.C. § 1591 and are therefore entitled to bring a civil action and seek redress under  
14 18 U.S.C. § 1595.

15 101. On January 31, 2020, Executive Order #13903, entitled “Combating  
16 Human Trafficking and Online Child Exploitation in the United States” was issued.<sup>30</sup>  
17 The Order stated:

18 Human trafficking is a form of modern slavery. Throughout the United  
19 States and around the world, human trafficking tears apart  
20 communities, fuels criminal activity, and threatens the national security  
21 of the United States. It is estimated that millions of individuals are  
22 trafficked around the world each year—including into and within the  
23 United States.” It further stated: “Twenty-first century technology and  
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25  
26 <sup>28</sup> Pub. L. 115–164, §2, Apr. 11, 2018, 132 Stat. 1253.

27 <sup>29</sup> *See*, 132 Stat. 1253, §4(b); *see also Woodhull Freedom Found v. United States*, No. 18-  
5298, 2020 WL 398625 (D.C. Cir., June 24, 2020).

28 <sup>30</sup> Exec. Order No. 13903, 85 FR 6721, 6721-6723 (Jan. 31, 2020), available at  
<https://www.federalregister.gov/documents/2020/02/05/2020-02438/combating-human-trafficking-and-online-child-exploitation-in-the-united-states>.

1 the proliferation of the internet and mobile devices have helped  
2 facilitate the crime of child sex trafficking and other forms of child  
3 exploitation. Consequently, the number of reports to the National  
4 Center for Missing and Exploited Children of online photos and videos  
5 of children being sexually abused is at record levels.

6 ***WGCZ Entities facilitate and profit from sex trafficking of minors***

7 102. The WGCZ Defendants own and operate a large number of websites  
8 including two major “tube-sites” -- XVideos and XNXX -- which the WGCZ  
9 Defendants boast are “the most visited adult porn tubes on the planet.”<sup>31</sup>

10 103. WGCZ boasts it has 200 million daily visitors and 6 billion daily  
11 impressions on its various websites.<sup>32</sup>

12 104. As of January 2021, XVideos was the 9th most popular pornography  
13 website in the world, visited more than Netflix and Amazon, with over 3 billion visits  
14 a month. WGCZ’s second most popular website, XNXX, was the 14th most visited  
15 website in the world and together these two websites garnered over 5 billion visits a  
16 month, almost double the traffic of their biggest competitor, Pornhub.<sup>33</sup>

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26 <sup>31</sup> Pornwork, XXX Jobs for Adults, <https://porn.work/en/> (last visited Aug. 9, 2024).

27 <sup>32</sup>Traffic Factory, Media Kit, at 8,  
[https://main.trafficfactory.biz/help/tutorial/49/en/media\\_kit.pdf](https://main.trafficfactory.biz/help/tutorial/49/en/media_kit.pdf).

28 <sup>33</sup> See Dorothy Neufeld and Joyce Ma, *The 50 Most Visited Websites in the World*, Visual  
Capatilist, Jan. 27, 2021, <https://www.visualcapitalist.com/the-50-most-visited-websites-in-the-world/>.



1 105. Traffic Factory is a web advertising and digital marketing company  
2 created by WGCZ, and owned by Defendant Traffic F, s.r.o., for use on XVideos and  
3 other WGCZ-owned sites.<sup>34</sup> WGCZ’s revenue model is based in part on being able to  
4 sell ads to advertisers.



13 106. WGCZ through Traffic Factory boasts through its blog that targeting the  
14 US is the most desired and potentially lucrative source of traffic available.<sup>35</sup>



26 <sup>34</sup>See Traffic Factory Premium Ad Network, *Want to advertise on XVideos.com?*,  
27 <https://main.trafficfactory.biz/xvideos-signup> (last visited Aug. 14, 2024).

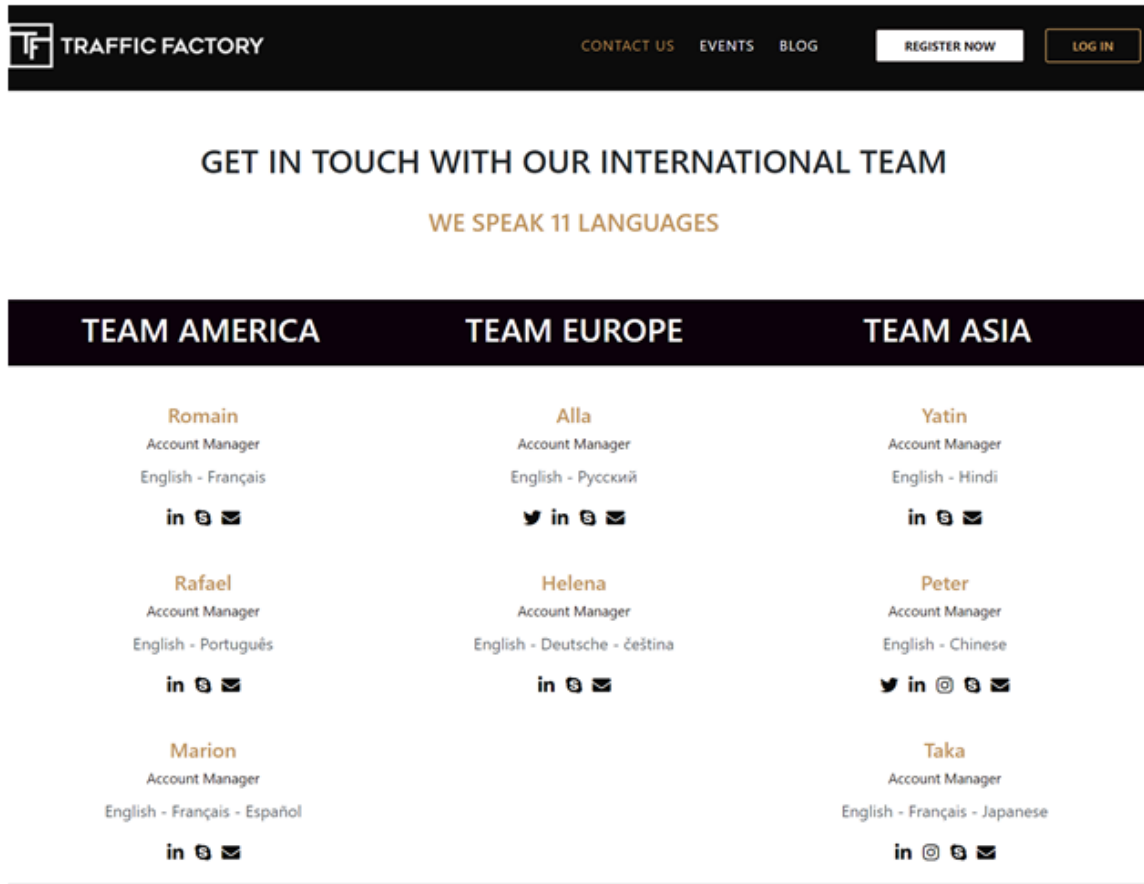
28 <sup>35</sup> See *The United States Of . . . Conversions- Part 1*, Traffic Factory, Oct. 11, 2019,  
<https://web.archive.org/web/20210414141819/https://www.trafficfactory.com/the-united-states-of-conversions-part-1/index.html>.

1 107. Specifically, Traffic Factory says the following about US users:  
2 It goes without saying that **targeting the USA can be one of the most**  
3 **potentially lucrative sources of traffic available**. The two main  
4 factors contributing to this are: Gross Average Financial Income Level  
5 of population. Though, with any positive must come a negative. To the  
6 budget conscious advertiser, running campaigns in the USA will  
7 without a doubt cause an increase in your campaign budget and spend.  
8 **The levels of competition are fierce from other advertisers as are**  
9 **the actual levels of traffic available due to the sheer size of the**  
10 **population (and the continued success of our publisher network)**.<sup>36</sup>  
11 **Not a day goes by without members of Traffic Factory being**  
12 **solicited by numerous requests for advertiser accounts targeting**  
13 **North America**. Even though **this surge in prospective advertisers is**  
14 **a testimony to our network and the sheer high-quality of our**  
15 **traffic**, it also demonstrates the advertiser’s desire to target the USA  
16 and other North American territories.<sup>37</sup>

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

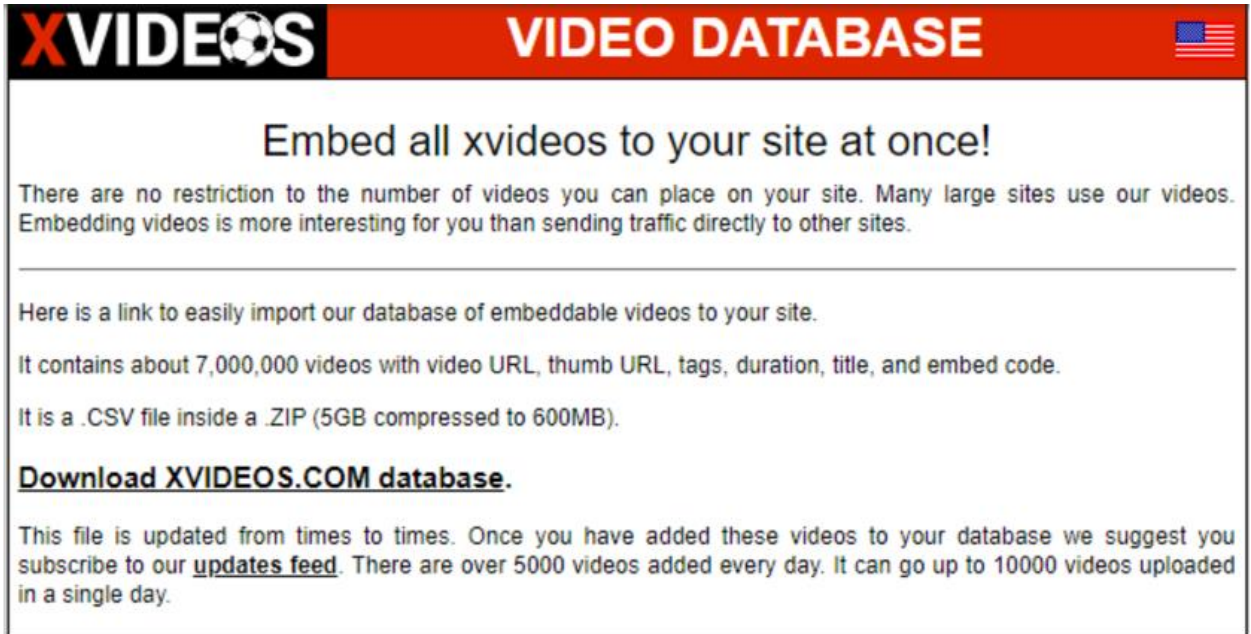
28 <sup>37</sup> See *Engaging with the US audience –How not to fail miserably . . .* , Traffic Factory, Nov. 12, 2019, <https://web.archive.org/web/20210812142001/https://www.trafficfactory.com/engaging-with-the-us-audience-how-not-to-fail-miserably/index.html>.

1 108. To assist with the robust targeting of U.S. consumers, WGCZ, through  
2 Traffic Factory, at least as of 2021, maintained a “Team America” to assist with  
3 marketing on the Xvideos and affiliated sites including XNXX, and all team members  
4 demonstrate English as their first language.



20 109. Unlike other video websites such as YouTube, WGCZ’s websites also  
21 included a download button for transferring images and videos, including CSAM, from  
22 their servers to an undisclosed number of child pornographers, child sex traffickers,  
23 and pedophiles.





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LAW GROUP, APC

110. WGCZ permits easy access to its XVideos site and encourages users to create their own sites and use the existing 7,000,000 videos with video URL, thumbnail URL, tags, duration, title, and embedded code to do so.<sup>38</sup> As recently as 2018, WGCZ invited XVideos users taking advantage of this feature to subscribe to their “updates feed” so that new videos could be quickly distributed from the XVideos site directly to the subscriber noting, “[t]here are over 5000 videos added every day. It can go up to 10000 videos uploaded in a single day.”<sup>39</sup>”

111. As of September 2021, users consuming content on XVideos had several options: (1) access the site for free without creating an account; (2) create an account and receive a variety of WGCZ developed, generated and controlled benefits or partner programs; or (3) pay for a premium Red Service account, which is managed, operated, and controlled by WGCZ.

112. As of September 2021, users uploading content on XVideos also had several options: (1) create an account and upload content without making any money; (2) create an account and “verify” (upload a video of yourself) to upload videos while

<sup>38</sup> XVideos, Video Database, *Embed all xvideos to your site at once!*, <https://info.xvideos.com/db> (last visited Aug. 13, 2024).

<sup>39</sup> See screenshot above.



1 disguised behind a VPN; and (3) upgrade to a “channel” (upload three high quality  
2 videos of a certain length) account to monetize videos.

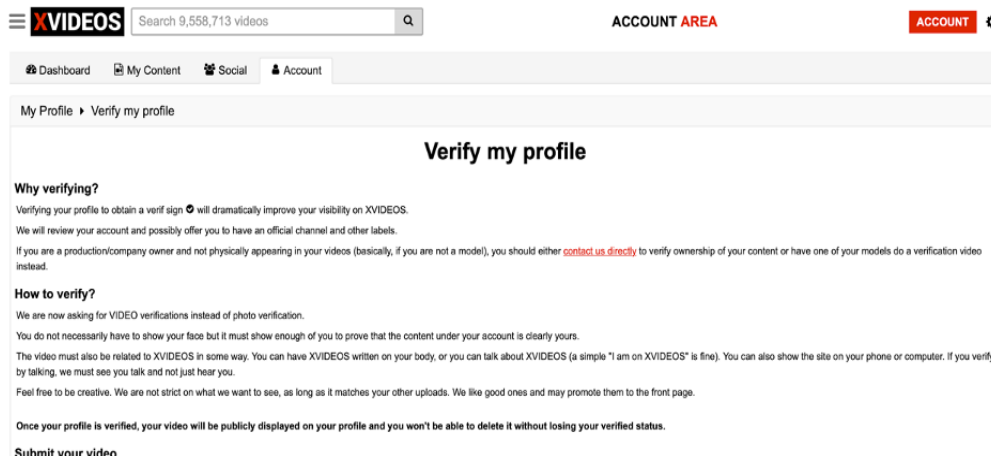
3 113. There was a stated requirement that the account holder be at least 18 years  
4 old, but there was no process to verify this.

5 114. Any account holder could upload videos without verification of any kind.

6 115. The process to become “verified”, which came with additional benefits,  
7 did not verify age or consent but merely whether the account holder appeared in the  
8 content. This process consisted of submitting a video in which

9 [y]ou do not necessarily have to show your face but it must be enough  
10 of you to prove that the content under your account is clearly yours. . .

11 . The video must also be related to XVIDEOS in some way. You can  
12 have XVIDEOS written on your body, or you can talk about XVIDEOS  
13 (a simple “I am on XVIDEOS” is fine). . . . Feel free to be creative. We  
14 are not strict on what we want to see, as long as it matches your uploads.  
15 We like good ones and may promote them to the front page.<sup>40</sup>



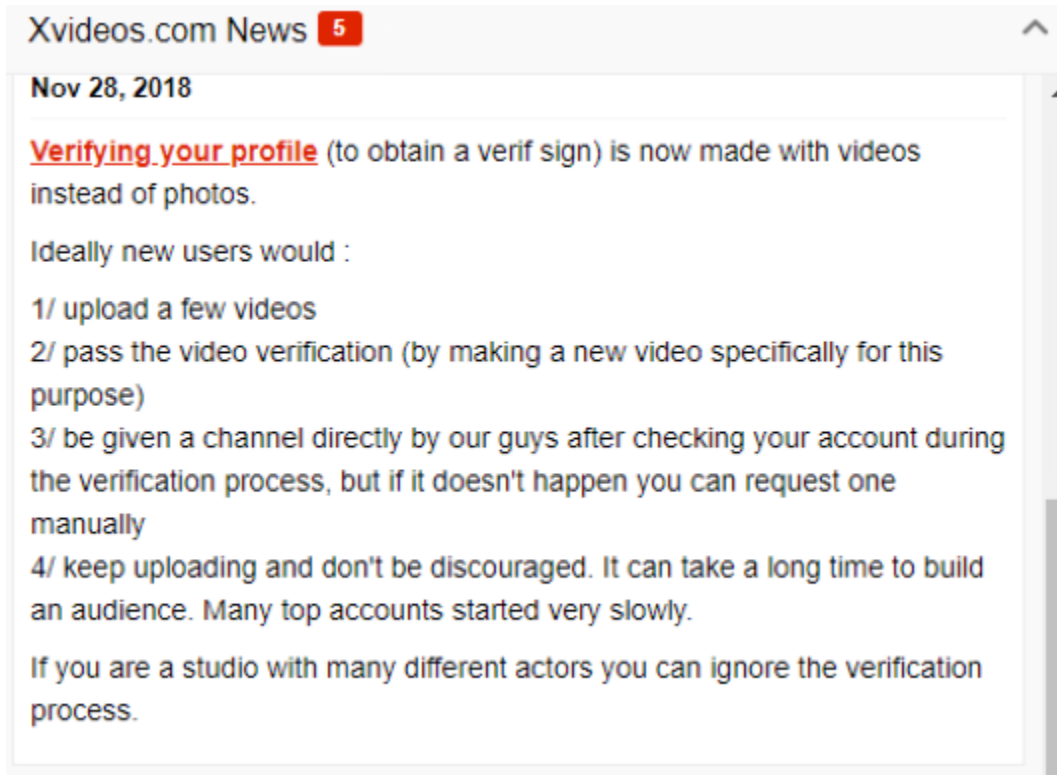
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28 <sup>40</sup> See screenshot below.

1 116. XVideos users that were “verified” by uploading a video could participate  
2 in a XVideos unique chat system and upload videos while disguising their identities  
3 through a VPN.

4 117. The content partner program offered the user various methods to upload  
5 content and create revenue based on views. From the XVideos site, a user could upload  
6 to XVideos premium content, and various “channels” hosting WGCZ-controlled  
7 content, including from content partners.

8 118. As of September 2021, to join the content partner program, a user had to  
9 create an XVideos account (which required only a valid email address), “verify” the  
10 account, and then set up a “channel” by uploading three or more videos.

11 119. As of 2021 and prior, the “verification” standard for studios or production  
12 companies, was even lower. WGCZ’s site instructed them to either “ignore the  
13 verification process” or “call us directly.”





1 120. The XVideos site is sophisticated enough to determine whether someone  
2 entering their site is doing so by VPN as well as whether the IP address or account code  
3 was obtained from a server farm or illegitimate or non-traceable account.

4 121. The abysmal “verification process” only applied to the account  
5 holder/uploader. If a video posted by a verified account included other parties or  
6 individuals, WGCZ had no process to “verify” those parties and accordingly made no  
7 attempt to verify their age. Once an account had been verified, they could apply to  
8 become a channel -- which opened the door to monetization. A user who created a  
9 channel on XVideos could “promote [their] brand through various ads and links”<sup>41</sup> and  
10 their videos could be monetized.<sup>42</sup> WGCZ promoted and profited from these partner  
11 channels including the verified partner channels that distributed Plaintiff’s abuse  
12 videos.

13 122. Further, the site, acknowledged that account holders were not required to  
14 verify the participants in the video, indicating “you might get banned if you upload  
15 from multiple accounts”; however, it is policy without substance because it was  
16 impossible for XVideos to trace the true IP address as the site allows users to upload  
17 videos through a VPN which hides the true geographic location of the user’s IP address.

18 123. WGCZ reviewed, monitored, and approved incoming videos to determine  
19 whether the videos may be posted to channel accounts. Further, WGCZ reviewed  
20 videos to confirm whether the video was of adequate quality and length required for a  
21 channel account. WGCZ reviewed videos and cautioned that “if you are stealing  
22 content, please don't bother. We will verify.”<sup>43</sup> However, there is no age or consent  
23 verification involved in being granted channel status on the site.

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26 <sup>41</sup>See archived page (Feb. 21, 2021)  
<https://web.archive.org/web/20210221184225/https://info.xvideos.com/cpp>.

27 <sup>42</sup>XVideos, Account Status, <https://info.xvideos.com/account-status> (last visited Aug. 13,  
2024).

28 <sup>43</sup>See archived page (Feb. 21, 2021)  
<https://web.archive.org/web/20210221184225/https://info.xvideos.com/cpp>.



1 124. Channel partners are offered a variety of benefits by WGCZ, including  
2 “dedicated channel support service,” “priority feature on the home page,”  
3 “monetization of your free uploads,” “monetization of your premium uploads,” “piracy  
4 prevention with digital fingerprinting,” “more detailed statistics for your video  
5 uploads,” “ability to claim pirated videos,” and “link to your channel if a model worked  
6 for you,” among other benefits.<sup>44</sup>

7 125. Through this monetization scheme, and exchange of benefits, WGCZ  
8 maintains continuous business relationships with, and is in a profit-sharing relationship  
9 with, channel partners.

10 126. These profit-sharing relationships include sex traffickers, such as the  
11 channel partner who distributed Jane Doe’s abuse videos on the XVideos and XNXX  
12 websites.

13 127. WGCZ places advertisements before videos play, underneath videos, and  
14 around videos.

15 128. WGCZ thus profits from images and videos of commercial sex acts,  
16 including the sexual abuse and rape of children. This profit-making activity included  
17 the Plaintiff’s rape.

18 129. WGCZ generated, originated, created, or otherwise edited tags associated  
19 with videos loaded onto its websites. Tags are keywords associated with a video and  
20 are used to optimize search features on the XVideos website, which ultimately  
21 increases views, downloads, and the success of targeted advertising by Traffic Factory.

22 130. Tags, categories, and search suggestions that have been reviewed,  
23 categorized, created and/or edited by WGCZ help users locate the type of video they  
24 are searching for, including CSAM.

25 131. WGCZ directly created, directed and controlled all engineering which  
26 created the algorithm and other tools on the XVideos website which used keywords,  
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28 <sup>44</sup> XVideos, Account Status, <https://info.xvideos.net/account-status> (last visited Aug. 13, 2024).



1 tags, and search terms to automatically present users with “related searches” like  
2 “jailbait,” “not 18,” “flat hairless,” “innocent little young girl,” “cheese pizza,” “how  
3 old is she,” and “elementary,” and more than 20 other “related searches” where videos  
4 had been tagged or indexed with similar horrifying terms, some even in foreign  
5 languages, suggesting child pornography, sex trafficking, and rape of children.

6 132. For example, WGCZ used the tag “toddler” to classify pornographic  
7 content on its XVideos website.

8 133. In 2021, if the word “twelve” was searched on XVideos, then XVideos  
9 would suggest to the user “related searches” including “training bra,” “7th grader” and  
10 “elementary.”<sup>45</sup>

11 134. In short, WGCZ’s creation and continued compilation of “related search  
12 terms” and tags directly facilitates pedophiles posting and finding the exact content  
13 they want: CSAM, including that of the Plaintiff. In the context of WGCZ’s adult  
14 website, its use of obvious child-focused terms, like “toddler,” both encourages and  
15 contributes to illegal conduct—the receipt, possession, and distribution of CSAM.

16 135. The creation and use of child-focused terms, categories, and tags is a  
17 material contribution to the unlawful nature of the CSAM on Defendants’ websites.

18 136. WGCZ creates, manipulates and maintains statuses and indexes for  
19 account holders, allowing users to locate each other in a verified user index based on  
20 information provided at account creation. Uploaders that are monetizing their videos  
21 get additional benefits, including (1) priority appearance over other users; (2)  
22 appearance in a “pornstar” index; and (3) appearance in an index ranking “models.”

23 137. Another optimizing feature XVideos performs for its users is creating  
24 thumbnail images and preview videos for uploaded videos. Thumbnail images are  
25 images that show a particular scene from an uploaded video to a user browsing the site.

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28 <sup>45</sup> Nicholas Kristoff, *Why Do We Let Corps. Profit from Rape Videos?*, N.Y. Times, Apr. 18,  
2021, at <https://www.nytimes.com/2021/04/16/opinion/sunday/companies-online-rape-videos.html>.  
(last visited Aug. 12, 2024).



1 If a user places their mouse over a video, they are shown additional thumbnail images  
2 or a preview video. Thumbnail images and preview videos are new images and videos  
3 created by WGCZ and displayed by WGCZ to increase traffic to a particular video and  
4 generate additional revenue.

5 138. XVideos produces thumbnail images and preview videos for uploaded  
6 videos. WGCZ uses thumbnails as the primary means of advertising a video to a user.  
7 For this reason, Xvideos creates thumbnails for most videos to ensure they maximize  
8 the chances a user will click on a video to view. In some cases, uploaders that are  
9 monetizing videos are allowed to select from four thumbnail images that XVideos  
10 created for a limited time after uploading. However, XVideos does not permit  
11 uploaders to use custom thumbnails –they must use the thumbnails generated by  
12 WGCZ. XVideos also creates the additional thumbnails and preview videos that appear  
13 when users hover over a video.

14 Section: [Upload videos](#)

15 **How can I choose the thumbnail for my videos?**

16 In your account dashboard area go to the "My Content" tab and select "My uploaded videos". Find a video and click "Change Thumbnail".  
17 Currently it is not possible to upload a custom thumbnail.

18 139. To create thumbnails, WGCZ duplicates and extracts a new still image  
19 from a video. This new image is separate and distinct from the uploader's video and  
20 has its own unique hash value or what is otherwise known to be a unique code  
21 identifying a piece of content.

22 140. Xvideos stores these thumbnail images in a separate location. For  
23 example, if a video is removed from XVideos, there is a separate process to also remove  
24 the thumbnail and to remove it from where it is cached to appear on search engines  
25 such as Google. Every time WGCZ creates a thumbnail from a CSAM video, it is  
26 creating and storing a new CSAM image. In other words, WGCZ is producing and  
27 possessing an additional CSAM image. Furthermore, WGCZ uses this new CSAM  
28

1 image (the thumbnail) to advertise the user uploaded CSAM video that WGCZ is also  
2 possessing and distributing on its website.

3 141. The creation and use of thumbnails is a material contribution to the  
4 unlawful nature of the CSAM on Defendants’ websites.

5 142. The creation of these thumbnails duplicates and increases the number of  
6 CSAM images on WGCZ’s website.

7 143. The XVideos site facilitates and assists pedophiles in communicating with  
8 sex traffickers, through its chat system embedded on WGCZ’s XVideos website. This  
9 unique communication system allows account holders and users to remain virtually  
10 anonymous while posting images and videos.

11 144. The WGCZ communication system combined with the enormous reach  
12 and popularity of its websites allows sex traffickers to market sex trafficking victims,  
13 including minors, and connect illegal sex traffickers and buyers in an anonymous  
14 fashion. Because WGCZ created and controls the communication system, and allows  
15 “verified” users to disguise themselves through a VPN service, the exact location and  
16 identities of those who upload videos can be hidden from law enforcement and other  
17 agencies responsible for protecting exploited minors.

18 145. WGCZ facilitates sex traffickers and pedophiles in their covert  
19 dissemination of CSAM while profiting from their victims’ abuse and trafficking.

20 146. By creating tags and an anonymous chat function that facilitates the  
21 uploading of illegal content on its site, WGCZ facilitates the resulting torrent of videos  
22 available on its sites depicting children being molested and raped.

23 147. Minor victims of sex trafficking and their representatives have contacted  
24 WGCZ to remove videos of them from its websites, but WGCZ has refused to do so.  
25 Thus, WGCZ is knowingly in possession of child pornography and is allowing its  
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1 distribution for profit.<sup>46</sup>

2 148. In an article entitled, “Why do we let corporations profit from rape  
3 videos?”, Nicholas Kristoff reported that one individual had a video of her as a 14 year  
4 old uploaded to XVideos without her knowledge or consent.<sup>47</sup> This individual  
5 requested XVideos remove the video, but, instead, XVideos allowed two more copies  
6 to be uploaded.

7 149. WGCZ production studio BangBros has filmed, produced, and distributed  
8 child pornography with at least one minor.<sup>48</sup>

9 150. On information and belief, WGCZ entity member/manager Miroslav  
10 Mrna directs and/or controls a sex trafficking venture involving pornography  
11 performers that spans several countries, including the Czech Republic, Romania, and  
12 Colombia.

13 151. On information and belief, VS Media, Inc., California-based employees  
14 Brad Estes and Jamie Rodriguez are co-conspirators in Miroslav Mrna’s sex trafficking  
15 venture.

16 152. On information and belief, the Legal Porno studio owned and/or  
17 controlled by WGCZ entity Defendant GTFlix TV, s.r.o. has used force, fraud, and  
18 coercion against women performers, who were severely injured by the extreme and  
19 violent nature of the pornography filming, including one who had to be hospitalized.<sup>49</sup>

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23 <sup>46</sup>Nicholas Kristoff, *Why Do We Let Corps. Profit from Rape Videos?*, N.Y. Times, Apr. 18,  
24 2021, at <https://www.nytimes.com/2021/04/16/opinion/sunday/companies-online-rape-videos.html>.  
25 (last visited Aug. 12, 2024).

26 <sup>47</sup> *Id.*

26 <sup>48</sup> See Michael E. Miller, *BangBros Accused of Underage Porn*, Miami New Times, (Nov.  
21, 2013) <https://www.miaminewtimes.com/news/bangbros-accused-of-underage-porn-6393964>.

27 <sup>49</sup> See Jakub Zelenka & Lukas Prchal, “*I was bleeding and ended up in the hospital.*” *Women*  
28 *accuse producers of Xvideos of violent porn shooting*, Denik, Feb. 1, 2021,  
<https://denikn.cz/552186/i-was-bleeding-and-ended-up-in-hospital-women-accuse-producers-of-xvideos-of-violent-porn-shooting/?ref=suv>.



1           153. As of 2023, WGCZ, was not registered as an electronic service provider  
2 with NCMEC to report child pornography and child sex trafficking, on its sites.<sup>50</sup> Upon  
3 information and belief, WGCZ fails to report at least some material it knows is child  
4 pornography to NCMEC and/or similar entities and/or law enforcement, even when  
5 WGCZ removes such material.

6           154. The content WGCZ creates relies on data gathered from its users' habits  
7 to highlight new trends, compare viewing habits of users in different cities or regions,  
8 and generally parse the online behavior of its millions of consumers.

9           155. WGCZ harnesses the data it compiles and analyzes to write scripts and  
10 specify details, including dialogue, positions, sex acts, and camera angles in those  
11 video shoots. The level of detail illustrates the impact of WGCZ's analysis of user data  
12 on WGCZ's content creation process. WGCZ caters to fetishes and incorporates and  
13 highlights elements of the videos on its websites based on user data. WGCZ's  
14 leadership has stressed that content choices reflect the data mining of millions of views,  
15 which allows WGCZ to determine what variables produce the highest viewership.  
16 WGCZ's data analyses are used to determine, create, and place content, including  
17 CSAM, on its websites.

18           156. WGCZ also uses data from its billions of monthly views to make decisions  
19 about specific features of the content it creates and curates on its various websites.  
20 WGCZ suggests to users what other content a particular user might like based on prior  
21 viewing, and categorizes all material on its websites, including the CSAM, based on  
22 widely-searched terms. WGCZ leverages its user data to shape the particulars of  
23 content and drive user engagement.

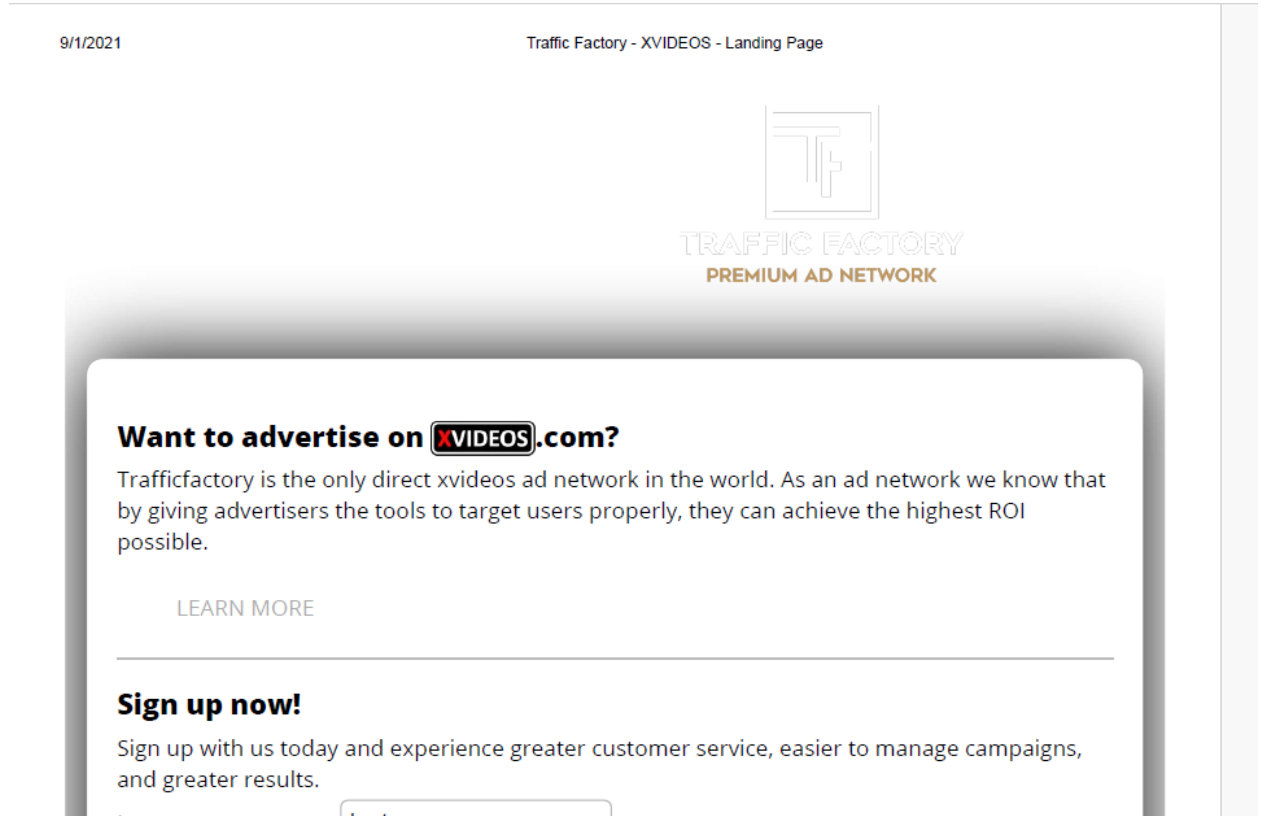
24           157. As of September 2021, WGCZ did not require age verification to create  
25 an account and upload videos. Worse, WGCZ created a "verification" process that  
26

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27           <sup>50</sup> 2023 CyberTipline Reports by Electronic Service Providers (ESP), Nat'l Ctr. for Missing  
28 & Exploited Children, [https://www.missingkids.org/content/dam/missingkids/pdfs/2023-reports-by-  
esp.pdf](https://www.missingkids.org/content/dam/missingkids/pdfs/2023-reports-by-esp.pdf).

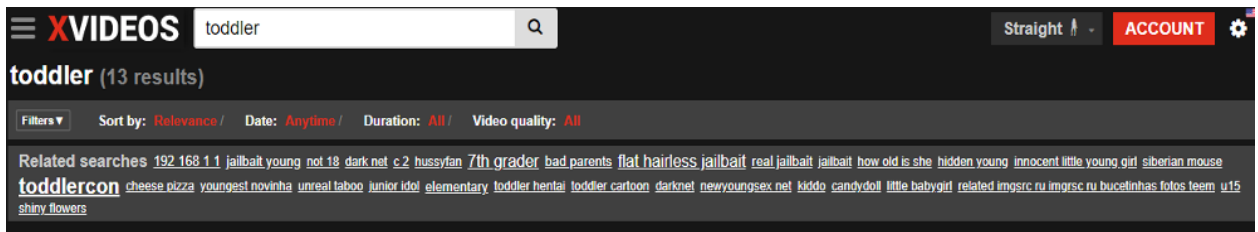
1 allowed users that wish to disguise their locations and IP addresses to use a VPN while  
2 creating an account and uploading content.

3 158. Traffic Factory is a web advertising and digital marketing company  
4 created by WGCZ for use on its XVideos site.



21 159. WGCZ’s revenue model includes being able to sell ads to advertisers. Ad  
22 sales increase based on the number of views for a piece of content and the ads  
23 accompanying this content. In order to increase views, WGCZ creates tags, categories,  
24 and related search suggestions to help users find the content they are searching for, and  
25 then be led to more content of a similar type, including child pornography. As seen in  
26 the screenshot below, as of September 2021, someone searching for “toddler” content  
27 on the Xvideos website was provided with all videos tagged with the word “toddler”  
28 and/or with other keywords the WGCZ website associated with the word “toddler” (the  
screenshot shows 13 videos were provided). WGCZ also provided users with suggested

1 tags for other content advertised as depicting children, such as “jailbait,” “not 18,” and  
2 “7<sup>th</sup> grader.”



7  
8 160. Tags which unequivocally advertise pornographic content as depicting  
9 children are per se advertisements for child pornography and per se illegal. Such  
10 facilitation by WGCZ can never be neutral as it is illegal. WGCZ closely analyzes  
11 search terms, keywords, and tags to track profitability and popularity of the content on  
12 their website so they can maximize profits. WGCZ has actual knowledge that these  
13 tags, “jailbait,” “not 18,” “7<sup>th</sup> grader,” and the others contained in the screenshot above,  
14 existed on their site, facilitated users searching for child pornography, facilitated users  
15 uploading child pornography, and advertised child pornography for view on their  
16 website XVideos. Additionally, WGCZ designed the search function which associated  
17 the search for “toddler,” with other terms suggestive of child pornography like  
18 “jailbait.” These search functions designed by WGCZ use unlawful criteria and are  
19 designed to achieve illegal ends.

20 161. Additionally, if users are searching for a term frequently then WGCZ can  
21 produce or tag materials based on frequent search terms by the users. Upon information  
22 and belief, WGCZ edits advertisements placed on its website and, through Traffic  
23 Factory, facilitates data-driven decisions about advertising content. These ads  
24 frequently highlight search terms like “teen” and “toddler” which promote the use and  
25 creation of CSAM.

26 162. Upon information and belief, WGCZ developed ads and affirmatively  
27 chose the content characteristics and categories to target users and direct ads.  
28



1 163. WGCZ is responsible, in whole or in part, for developing and creating  
2 guidelines which permit, promote, and encourage sex trafficking and child  
3 pornography on its website, XVideos. WGCZ facilitates and assists traffickers and  
4 child pornography purchasers through its account creation, advertising placement,  
5 content organization, tagging, and other optimization, content production, and data  
6 mining.

7 ***U.S. based ServerStack performs work on behalf of WGCZ***

8 164. ServerStack currently hosts the website XVideos.com and its related  
9 pornography affiliates, including but not limited to XNXX.com and the marketing arm  
10 of XVideos.com, Traffic Factory.

11 165. ServerStack, through Digital Ocean Holdings, is more than just a dormant  
12 server hosting backup storage. ServerStack is an interactive partner with XVideos.com.  
13 ServerStack boasts that it scaled “a website’s infrastructure to serve 150 million  
14 pageviews per day through a “single managed dedicated server.” Upon information and  
15 belief, the partnership and business growth mentioned in that boast is that of  
16 XVideos.com.

17 166. ServerStack boasts that it maintains fully managed servers for its clients  
18 to support and optimize usage. ServerStack’s services include creating and managing  
19 server infrastructure for each individual XVideo website component, such as the  
20 comment system, the video players, and search tools. Upon information and belief,  
21 these processes optimize and manipulate data, increase revenue, and promote  
22 interaction with child pornography, including that depicting Plaintiff and other class  
23 members.

24 167. A key function of XVideos is receiving and encoding videos from users.  
25 Encoding a video converts it to a format suitable for the XVideos video player. This  
26 process also allows XVideos to manipulate, review, and edit videos to capture, create,  
27 and publish thumbnail images, including videos of Plaintiff and other minors.  
28



1 168. Video encoding, thumbnail creation, and video playing are critical  
2 functions provided by ServerStack’s application servers for XVideos.

3 169. Generally, searching a website requires that website to be indexed, a  
4 process that gathers, organizes, and creates information about each video. That  
5 information is set up in a format that responds to searches by users quickly and  
6 efficiently. Searching and indexing are also critical functions provided by  
7 ServerStack’s application servers for XVideos, to support its video search tool.

8 170. Key XVideos functions also include commenting on individual videos and  
9 chat services. There are millions of comments on XVideos, and XVideos chatting  
10 services include direct, non-public, user to user image sharing, between tens of  
11 thousands of users on the site. These commenting and chatting services are critical  
12 functions provided by ServerStack's application servers for XVideos.

13 171. ServerStack, through Digital Ocean, actively manages the XVideos  
14 website. Without this active management, XVideos would routinely stop functioning.  
15 In other words, upon information and belief, ServerStack, through DigitalOcean, does  
16 not operate as a stagnant server host, instead, they must actively review and understand  
17 the content so that they can scale the website as a whole, including changing the quality  
18 of video uploads to maintain loading times and speed of searching, understanding terms  
19 that are being searched for so that advertisements are appropriately worded, placed and  
20 are successful to generate additional revenue.

21 172. ServerStack necessarily controls any CSAM content on the WGCZ  
22 websites, including Plaintiff’s videos. Victims of CSAM, including Plaintiff, can notify  
23 XVideos or ServerStack with notice of abuse.

24 173. As alleged below, Plaintiff notified XVideos and requested removal of the  
25 video depicting her. XVideos would and should have notified ServerStack who would  
26 have had the ability to capture, mark, identify, remove and report said videos. Instead,  
27 the videos remained on the website and server, where viewing and monetizing  
28 continued.



1 174. To draw in new users and maintain market share, WGCZ working together  
2 with ServerStack makes most of its library available for free, even without creating an  
3 account. In this way, WGCZ through ServerStack distributes content -- including child  
4 pornography -- to anyone.

5 175. Users can access as much pornography as they like without creating an  
6 account. WGCZ analyzes and optimizes user data to subtly lead viewers to create  
7 accounts for user convenience. This permits WGCZ to better track and understand what  
8 users like. WGCZ uses the data to facilitate and route viewers to increased engagement  
9 with the platform and leads viewers to paid subscriptions offering premium content  
10 reflecting the viewer's preferences, even if that content involves child rape,  
11 pornography, or other rapes.

12 176. WGCZ sells its Red Service subscription which enables users to  
13 "download videos in HD" and "chat with other users through the [private] VPN  
14 system" and other benefits all managed, maintained, and facilitated by WGCZ for a  
15 profit.

16 177. WGCZ's "content program" pays "millions a year to content providers."  
17 Account holders on its model or channel split profits with WGCZ through: (1)  
18 advertisement income sharing; (2) revenue sharing; and (3) XVideos red share  
19 accounts.

20 178. WGCZ is generating millions in advertising and membership revenue,  
21 applies sophisticated data analytics to troll and monitor its users; and yet refuses to  
22 verify the age or consent of those featured in the pornographic content, or most  
23 importantly prevent sex trafficking of the most vulnerable victims whose bodies have  
24 been sold for profit.

25 179. Upon information and belief, ServerStack provides at least one dedicated  
26 employee to manage, manipulate, and strategize opportunities to "help grow the  
27 XVideo business."  
28



1 180. Upon information and belief, ServerStack provides the infrastructure and  
2 was the mastermind behind interactive features like the unique, exclusive, and internal  
3 communication systems within XVideos.

4 181. In the last two years, Digital Ocean reported more than 75 instances of  
5 child pornography to the National Center for Missing & Exploited Children.<sup>51</sup>

6 182. WGCZ and ServerStack actively control how videos are posted; the  
7 discussions/comments surrounding particular videos and images; processes for  
8 viewing, posting, and creating accounts; and processes for encouraging and rewarding  
9 income and fees for downloaded and viewed content.

10 183. Upon information and belief, ServerStack assists WGCZ in customizing  
11 how: (1) videos are posted; (2) the discussions/comments surrounding particular videos  
12 and images; (3) content consumers and posters view, post, and create accounts; and (4)  
13 to monetize viewed and downloaded content.

14 184. WGCZ and ServerStack work together to optimize data to steer viewers  
15 toward content that they seek the most. More user engagement means more profit.  
16 More views means more money.

17 ***Traffic Factory - Alter Ego of WGCZ***

18 185. Traffic Factory is a web advertising and digital marketing company  
19 created by WGCZ for use on its XVideos site and also maintained by ServerStack.

20 186. WGCZ's revenue model includes being able to sell ads to advertisers. If  
21 users are searching for a term frequently, then WGCZ can produce or tag materials  
22 based on frequent search terms by the users. Upon information and belief, WGCZ edits  
23 advertisements placed on its website and, through Traffic Factory, facilitates data-

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27 <sup>51</sup> Nat'l Ctr. for Missing & Exploited Children, 2019 CyberTipline Reports by Electronic  
28 Service Providers (ESP), <https://www.missingkids.org/content/dam/missingkids/pdfs/2019-reports-by-esp.pdf> and Nat'l Ctr. for Missing & Exploited Children, 2020 CyberTipline Reports by Electronic Service Providers (ESP), <https://www.missingkids.org/content/dam/missingkids/pdfs/2020-reports-by-esp.pdf>.



1 driven decisions about advertising content. These ads frequently highlight search terms  
2 like “teen” and “toddler” which promote the use and creation of CSAM.



7 187. Upon information and belief, WGCZ developed ads and affirmatively  
8 chose the content characteristics and categories to target users and direct ads.

9 ***Sex trafficking of Plaintiff Jane Doe via XVideos and XNXX***

10 188. Jane Doe was trafficked when she was just fourteen (14) years old in the  
11 United States by United States citizens.

12 189. When she was still a minor, a U.S. sex trafficker forced Jane Doe to  
13 participate in the creation of videos of adults raping her.

14 190. As a minor, Jane Doe’s traffickers also sold her for sex and some of the  
15 sex acts forced upon Jane Doe were recorded on video and uploaded from the United  
16 States to the XVideos and XNXX websites to be viewed by people in the United States  
17 and around the world.

18 191. Jane Doe was not paid for her participation in the production of these  
19 videos.

20 192. Videos of adults engaging in sex acts with Jane Doe while she was a minor  
21 were uploaded and disseminated through websites owned, operated and/or controlled  
22 by Defendants, including, but not limited to XVideos and XNXX.

23 193. Videos of these sex acts with the minor Jane Doe continued to turn profits  
24 as they were reviewed, downloaded, stored, and disseminated.

25 194. At least four videos that included Jane Doe being trafficked as a minor  
26 have been identified on WGCZ sites.





1 195. The names and other features of the videos are likely to jeopardize Jane  
2 Doe’s anonymity in this proceeding. For Jane Doe’s privacy and safety, Plaintiff will  
3 be moving for leave to file the names of those videos with the Court under seal.

4 196. At least one “content partner” and official “channel” on XVideos and  
5 XNXX disseminated these illegal videos of Jane Doe’s rape. XVideos and XNXX are  
6 in a revenue sharing relationship with this content partner and channel. This  
7 XVideos/XNXX “content partner” continued to be a promoted channel on XVideos  
8 even after Plaintiff’s videos were removed in response to a cease and desist letter sent  
9 in the Fall of 2020 identifying the videos as illegal CSAM and depictions of Plaintiff’s  
10 sex trafficking.

11 197. As of the original filing of this complaint in 2021, XVideos and XNXX  
12 maintained a continuous business relationship with this sex trafficking channel and  
13 continued to share profits with it. For Jane Doe’s privacy and safety, Plaintiff will be  
14 moving for leave to file the names of the content partner and channel with the Court  
15 under seal.

16 198. Neither XVideos, XNXX, nor any other website, owned or operated by  
17 WGCZ Defendants undertook any measure to verify Jane Doe’s identity or age. As a  
18 result, CSAM depicting Jane Doe was distributed broadly throughout the world on  
19 Defendants’ internet websites.

20 199. **Jane Doe reached out to XVideos and XNXX multiple times over the**  
21 **years, beginning in at least 2017, requesting her abuse videos be removed.**

22 200. **She never received a response from the websites. The videos remained**  
23 **live until her attorneys sent a demand letter on her behalf.**

24 201. During the time that WGCZ Defendants distributed and advertised the  
25 CSAM depicting Jane Doe, they profited financially from the videos through the sale  
26 of advertising and by drawing users to their websites to view the videos.

27 202. Specifically, Defendants financially benefited from Jane Doe’s sex  
28 trafficking as each video depicting her abuse accrued thousands of views, with one



1 video accruing over 160,000 views, and advertisements were placed on webpages  
2 containing CSAM depicting Jane Doe. This activity garnered substantial traffic to  
3 WGCZ websites and provided substantial data and advertising revenue.

4 203. Jane Doe continues to be traumatized, every single day, by WGCZ, whose  
5 platform is being used to permit the continued and repeated dissemination of these  
6 horrific videos for sexual gratification and for profit.

7 204. Jane Doe knows that her videos have been downloaded, using the easy-  
8 to-find “Download” button that WGCZ placed on its websites.

9 205. Jane Doe is at risk that the videos of her abuse will be further disseminated  
10 -- even uploaded a second time to a WGCZ platform, under a different name or with  
11 different tags, leading to further harm to her.

12 206. As described above, WGCZ’s moderation practices are inadequate, and  
13 the Defendants have frequently permitted the re-uploading of illicit videos. The broad  
14 dissemination of CSAM depicting Jane Doe has severely harmed Jane Doe, including  
15 financial, physical, emotional, and reputational harm.

16 ***Jane Doe and Members of the Class Continue to Suffer Irreparable Harm***

17 207. Class members, including Plaintiff, remain at risk of irreparable harm due  
18 to Defendants’ failure to enact and enforce appropriate and sufficient policies,  
19 procedures, and processes for the prevention of child pornography from being added  
20 to the WGCZ Defendants’ sites.

21 208. On behalf of the Class and herself, Plaintiff seeks injunctive and equitable  
22 relief requiring the Defendants to identify and remove child pornography and  
23 implement corporate-wide policies and practices to prevent continued dissemination of  
24 child pornography or child sex trafficking.

25 209. Because of the insidious nature of child sex trafficking and child  
26 pornography, all of this relief is necessary to protect the present and future interests of  
27 Plaintiff and Class members.

28

**CAUSES OF ACTION**

**COUNT I**

**BENEFITING FROM A SEX TRAFFICKING VENTURE**

**18 U.S.C. §§ 1591 AND 1595**

*(Plaintiff and the Class Against WGCZ Defendants)*

210. Plaintiff realleges and incorporates by reference all prior and subsequent paragraphs as if fully incorporated herein.

211. WGCZ Defendants knowingly used the instrumentalities and channels of interstate and foreign commerce to violate 18 U.S.C. §§ 1591.

212. WGCZ Defendants’ conduct was in, or affected, interstate and/or foreign commerce.

213. WGCZ Defendants knowingly benefitted, financially and by receiving other things of value, from participation in a venture that engaged in sex trafficking acts, knowing, or in reckless disregard, that the Plaintiff and the Class had not attained the age of 18 years and was caused to engage in a commercial sex act.

214. WGCZ Defendants’ business model includes promoting and encouraging CSAM, hosting voluminous CSAM on their websites, failure to moderate and cull out illegal content, profiting from CSAM, and revenue-sharing with uploaders of CSAM.

215. Through their lack of safeguards in moderating content and keeping CSAM off of their websites, their knowledge of CSAM on their websites, their revenue sharing with uploaders of CSAM, and their business model that elicits, encourages, and capitalizes on CSAM, WGCZ Defendants knowingly benefit from advertising revenue generated directly from CSAM and sex trafficking, and thereby actively assist, support, and facilitate sex trafficking.

216. WGCZ Defendants knowingly participated in a sex trafficking venture.

a. The WGCZ Defendants created the XVideos Website Enterprise to allow account holders to upload sexually explicit images and videos to XVideos and XNXX. Once account holders uploaded sexually explicit images and videos, XVideos and XNXX attracted views, more users, more account holders, and more uploads of



1 sexually explicit content.

2 b. The WGCZ Defendants earned revenue from selling ads on XVideos and  
3 XNXX to advertisers. Advertisers pay for such ads because XVideos and XNXX get  
4 views. So, the more views, the more ads, the more money.

5 c. When account holders upgrade to a “channel,” the WGCZ Defendants  
6 paid the “channel” holders for the content that they uploaded to the site.

7 d. The WGCZ Defendants did nothing to verify the parties or individuals in  
8 the content uploaded to their websites were 18 years or older while knowing that some  
9 uploaders uploaded underage content, advertised it as such, and that their website users  
10 sought this illegal contraband.

11 e. Certain channels, content partners, and production studios began  
12 uploading CSAM to XVideos and XNXX (“CSAM Uploaders”). CSAM Uploaders  
13 posted CSAM with tags, titles, and keywords indicating that the content was depicting  
14 a person who had not attained the age of 18 years old. For example, one channel partner  
15 distributed Jane Doe’s abuse videos on XVideos and XNXX.

16 f. All content on the XVideos and XNXX websites is monetized sexual  
17 content and it is provided to viewers seeking sexual gratification from viewing the  
18 content. When the CSAM Uploaders posted CSAM to XVideos and XNXX, they were  
19 causing the CSAM victim to engage in a commercial sex act.

20 g. When CSAM Uploaders posted CSAM to XVideos and XNXX, the  
21 WGCZ Defendants assisted, supported, and facilitated such commercial sex activity by  
22 providing the platform to do so, monetizing the content by surrounding it with ads,  
23 incentivizing some CSAM Uploaders through prospective payment for their content,  
24 and making it easy for CSAM Uploaders to avoid criminal repercussions.

25 h. This assistance, support, and facilitation was provided knowingly. The  
26 WGCZ Defendants reviewed, monitored, and approved the monetized content, so the  
27 WGCZ Defendants reviewed, monitored, and approved the CSAM uploaded for  
28 monetization purposes. Additionally, WGCZ Defendants were put on notice many





1 times that uploaders uploaded CSAM content to their websites through notifications  
2 from victims, law enforcement, and journalists and were put on specific notice by Jane  
3 Doe that the content depicting her was CSAM content yet they continued to monetize  
4 and profit from this content.

5 i. WGCZ Defendants generated, originated, created, or otherwise edited  
6 tags, categories and/or keywords that are associated with content and/or advertisements  
7 on their sites, so they created tags, titles, or keywords associated with the CSAM.

8 j. By allowing tags, keywords, and titles associated with CSAM on their  
9 websites, WGCZ Defendants provided a space for the open solicitation and provision  
10 of CSAM. By creating search functions that used CSAM tags and keywords to locate  
11 videos advertised as CSAM and suggest similar videos advertised as CSAM they  
12 developed at least in part, the CSAM content and materially contributed to the  
13 unlawfulness of the content and conduct.

14 k. WGCZ Defendants created thumbnails for each video uploaded to their  
15 sites, so the WGCZ Defendants created thumbnails for the CSAM uploaded to their  
16 sites. In some instances, the WGCZ Defendants also created preview videos. These  
17 thumbnails and preview videos are advertisements for the content to increase traffic to  
18 that particular video or image and generate additional revenue.

19 l. Based on these facts, WGCZ Defendants knew or were in reckless  
20 disregard that the CSAM Uploaders were uploading CSAM to the websites.

21 m. Once WGCZ Defendants realized that the CSAM Uploaders were  
22 monetizing CSAM on their sites, the WGCZ Defendants continued to do business with  
23 the CSAM Uploaders and thus knowingly participated in a sex trafficking venture.

24 n. The WGCZ Defendants made it easier for CSAM Uploaders to upload  
25 CSAM content without fear of criminal repercussions by allowing them to use a VPN  
26 to upload the CSAM.

27  
28

1 o. The WGCZ Defendants created and compiled “related search terms” and  
2 tags directly facilitating pedophiles and child predators posting and finding CSAM,  
3 including that of the Plaintiff.

4 p. WGCZ Defendants used words indicating CSAM to market and advertise  
5 the CSAM on their sites to more viewers.

6 q. The WGCZ Defendants refused to take down CSAM videos when  
7 contacted by the victims or their representatives, including when contacted by Jane  
8 Doe.

9 r. WGCZ Defendants are not passive parties that merely turn a blind eye  
10 toward CSAM and sex trafficking; they are active participants.

11 217. WGCZ Defendants knew or were in reckless disregard of the fact that the  
12 Plaintiff and the Class were caused to engage in commercial sex acts.

13 a. Under 18 U.S.C. § 1591(e)3) “commercial sex act” means any sex act, on  
14 account of which anything of value is given to or received by any person.

15 b. Plaintiff and the Class were caused to engage in a commercial sex act  
16 when the CSAM Uploaders posted their CSAM. *Doe v. MindGeek USA Incorp. et al.*,  
17 Case No.: SACV 21-00338-CJC (ADSx), slip op. at 16 (C.D. Cal. Sept. 8, 2021); *see*  
18 *also Doe v. Twitter*, 2021 WL 3675207, at \* 27 (N.D. Cal. Aug. 19, 2021).

19 218. WGCZ Defendants knew or were in reckless disregard of the Plaintiff and  
20 the Class not having attained the age of 18.

21 a. They knew or were reckless disregard because the CSAM victim, Jane  
22 Doe, and other class members told them. Additionally, they knew or were in reckless  
23 disregard because some CSAM Uploaders made it clear the content was CSAM  
24 through the use of titles, tags, and keywords.

25 b. The tags, titles, keywords, and categories indicated the video was of a  
26 minor.

27 c. The victims and their representatives told WGCZ Defendants that they  
28 were underage in the content.





1 d. WGCZ Defendants also had a reasonable opportunity to observe the  
2 children in the content. They viewed the CSAM content that was uploaded.

3 219. WGCZ Defendants knowingly benefitted from the sex trafficking venture,  
4 both financially and by receiving other things of value.

5 a. WGCZ Defendants developed products and services used to monetize  
6 content on their platforms through advertisements and data collection, as well as share  
7 profits with and make direct payments to CSAM Uploaders via channels, Content  
8 Partners, and otherwise.

9 b. WGCZ Defendants' ability to monetize their platforms is directly related  
10 to the number of users who visit and view content on their platforms. The number of  
11 users using WGCZ Defendants' platforms are inherently valuable to WGCZ  
12 Defendants, and directly affects their ability to draw revenue from their platforms and  
13 share it with traffickers.

14 220. WGCZ Defendants' acts, omissions, and commissions, taken separately  
15 and/or together, outlined above, constitute a violation of 18 U.S.C. § 1595.

16 221. WGCZ Defendants' conduct has caused class members including Plaintiff  
17 serious harm including, without limitation, physical, psychological, financial, and  
18 reputational harm.

19 **COUNT II**  
20 **RECEIPT AND DISTRIBUTION OF CHILD PORNOGRAPHY**  
21 **18 U.S.C. § 2252 and 2252A**  
22 *(Plaintiff and the Class against WGCZ Defendants)*

23 222. Plaintiff realleges and incorporates by reference all prior and subsequent  
24 paragraphs as if fully incorporated herein.

25 223. Defendants knowingly received, possessed, advertised, and distributed  
26 child pornography depicting Class members including Plaintiff, violating 18 U.S.C. §  
27 2252 and 2252A.  
28



1 224. Defendants also duplicated and distributed new child pornography  
2 depicting Plaintiff and Class members by creating and hosting new “thumbnail” images  
3 from existing videos of CSAM.

4 225. Defendants materially contributed to the unlawful character of the CSAM.

5 226. Defendants’ receipt and distribution of child pornography occurred in or  
6 affected interstate or foreign commerce.

7 227. As a proximate result of Defendants’ violation of 18 U.S.C. § 2252A,  
8 Class members, including Plaintiff, suffered serious harm, including physical,  
9 psychological, financial, and reputational harm.

10 228. Defendants’ conduct was malicious, oppressive, or in reckless disregard  
11 of Plaintiff’s rights and Class members’ rights. They are entitled to injunctive relief,  
12 compensatory and punitive damages, and the costs of maintaining this action. 18 U.S.C.  
13 § 2252A(f).

14 **COUNT III**  
15 **RECEIPT AND DISTRIBUTION OF CHILD PORNOGRAPHY**  
16 **18 U.S.C. § 2260**

17 *(Plaintiff and the Class Against WGCZ Defendants)*

18 229. Plaintiff realleges and incorporates by reference all prior and subsequent  
19 paragraphs as if fully incorporated herein.

20 230. Defendants, at least some of them outside the United States, knowingly  
21 received, possessed, and distributed child pornography depicting Class members  
22 including Plaintiff, violating 18 U.S.C. § 2260.

23 231. At least some of the Defendants’ receipt, possession, and distribution of  
24 child pornography occurred outside the United States.

25 232. As a proximate result of Defendants’ violation of 18 U.S.C. § 2260, Class  
26 members, including Plaintiff, suffered serious harm, including physical, psychological,  
27 financial, and reputational harm.

28 233. Defendants’ conduct was malicious, oppressive, or in reckless disregard  
of Plaintiff’s rights and Class members’ rights. They are entitled to injunctive relief,

1 compensatory and punitive damages, and the costs of maintaining this action. 18 U.S.C.  
2 § 2255(a).

3 **COUNT IV**  
4 **DISTRIBUTION OF PRIVATE SEXUALLY EXPLICIT MATERIALS,**  
5 **Cal. Civ. Code § 1708.85**  
6 *(Plaintiff and the Class against all WGCZ Defendants)*

7 234. Plaintiff incorporates each and every allegation set forth above as if fully  
8 set forth herein.

9 235. Defendants have intentionally distributed child pornography.

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

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

14 238. The videos depicted on Defendants’ websites exposed intimate body parts  
15 of the Plaintiff and the Class.

16 239. Plaintiff and the Class were harmed by Defendants’ knowing and  
17 intentional distribution of child pornography and Defendant's conduct was a substantial  
18 factor in causing harm to Plaintiff and the Class.

19 **CLASS ACTION ALLEGATIONS**

20 240. Plaintiff Jane Doe brings this action under to Federal Rules of Civil  
21 Procedure 23(b)(2), 23(b)(3) and 23(c)(4), on behalf of herself and the following  
22 “Class”:

23 All persons, who were under eighteen years of age at the time  
24 they were depicted in any video or image, (1) in any commercial  
25 sex act as defined under 18 U.S.C. §§ 1591 and 1595, or (2) in  
26 any child pornography as defined under 18 U.S.C. § 2252A. or  
27 (3) engaging in sexually explicit conduct as defined under 18  
28 U.S.C. § 2260, that has been made available for viewing on any  
website owned or operated by the Defendants.

241. Plaintiff Jane Doe also brings this action on behalf of:

All persons residing in California who were under eighteen years  
of age at the time they were depicted in any video or image, (1)  
in any commercial sex act as defined under 18 U.S.C. §§ 1591  
and 1595, or (2) in any child pornography as defined under 18



1 U.S.C. § 2252A, or (3) engaging in sexually explicit conduct as  
2 defined under 18 U.S.C. § 2260, that has been made available for  
3 viewing on any website owned or operated by the Defendants.  
(the “California Subclass”).

4 242. Plaintiff reserves the right to seek leave to modify this definition,  
5 including the addition of one or more subclasses, after having the opportunity to  
6 conduct discovery.

7 243. Numerosity: The Class consists of thousands of people, making joinder  
8 impracticable, satisfying Fed. R. Civ. P. 23(a)(1). The exact Class size and individual  
9 Class member identities can only be identified with more certainty with access to  
10 Defendants’ records. However, based on the millions of abuse reports made to  
11 NCMEC, and Defendants’ status as the largest distributor of pornography in the United  
12 States, the numerosity requirement can be established.

13 244. Typicality: Plaintiff’s claims are typical of the claims of the other  
14 members of the Class Plaintiff seeks to represent. The Plaintiff’s and the other Class  
15 members’ claims are based on the same legal theories and arise from the same unlawful  
16 pattern and practice of Defendants’ sex trafficking profiteering. Plaintiff, like all  
17 members of the Class, was victimized by Defendants profiting from videos depicting  
18 Plaintiff in commercial sex acts or child pornography which Defendants knew were,  
19 should have known were, or were in reckless disregard of being, filmed while they  
20 were minors.

21 245. Commonality: There are many questions of law and fact common to the  
22 claims of Plaintiff and the other members of the Class, and those questions predominate  
23 over any questions that may affect only individual Class members, under Fed. R. Civ.  
24 P. 23(a)(2). Additionally, class treatment of common issues under Fed. R. Civ. P.  
25 23(c)(4) will materially advance the litigation. Common questions of fact and law  
26 affecting members of the Class include, but are not limited to, the following:

27 a. Whether videos depicting minors in commercial sex acts or child  
28 pornography appear on Defendants’ platforms or servers;

1           b. Whether Defendants profited from videos depicting minors in commercial  
2 sex acts or child pornography appearing on Defendants’ platforms or servers;

3           c. Whether Defendants’ internal controls were inadequate to stop videos  
4 depicting minors in commercial sex acts or child pornography from appearing on  
5 Defendants’ platforms or servers;

6           d. Whether Defendants knew, should have known, were in reckless disregard  
7 of, or had the reasonably opportunity to observe that videos depicting minors in  
8 commercial sex acts or child pornography appeared on Defendants’ platforms or  
9 servers;

10          e. Whether Defendants’ conduct constitutes benefiting from or facilitating  
11 sex trafficking, dissemination of videos depicting minors in commercial sex acts or  
12 child pornography, or child exploitation in violation of 18 U.S.C. §§ 1591, 1595, and  
13 2252A; and

14          f. The scope of the injunctive relief and damages to which the Plaintiff and  
15 members of the Class are entitled.

16          246. Adequacy: Plaintiff will fairly and adequately protect the interests of the  
17 Class. Plaintiff’s interests and the interests of all other members of the Class are  
18 identical, and Plaintiff is cognizant of her duty and responsibility to the Class.  
19 Accordingly, Plaintiff can fairly and adequately represent the interests of the Class.  
20 Moreover, Plaintiff’s counsel are competent and have a wealth of experience litigating  
21 claims regarding sex trafficking and exploitation of minors, complex commercial  
22 litigation, and class actions. Plaintiff and counsel intend to vigorously prosecute this  
23 case and will fairly and adequately protect the Class’ interests. Neither Plaintiff nor  
24 their counsel have any interests adverse to those of the other members of the Class.

25          247. Equitable relief: Class certification is appropriate under Rule 23(b)(2)  
26 because Defendants have acted and refused to act on grounds generally applicable to  
27 the Class as a whole, such that final injunctive relief is appropriate with respect to the  
28 Class as a whole. The nature of the relief sought is described in this Complaint.



1 248. Absent a class action, most of the members of the Class would find the  
2 cost of litigating their claims to be cost-prohibitive and will have no effective remedy.  
3 Class treatment of common questions of law and fact is also superior to multiple  
4 individual actions or piecemeal litigation, in that it conserves the resources of the courts  
5 and the litigants and promotes consistency and efficiency of adjudication. Finally,  
6 Class treatment would minimize the trauma that Class members would experience as a  
7 result of litigating their claims on an individual basis, and further promotes the remedial  
8 purposes of the federal statutes under which the claims are brought.

9 **PRAYER FOR RELIEF**

10 WHEREFORE, Plaintiff, individually and on behalf of the Class, respectfully  
11 requests that the Court enter a judgment on their behalf and against Defendants, and  
12 grant the following relief:

13 A. Certify the proposed Class pursuant to the Federal Rules of Civil  
14 Procedure Rule 23(a), 23(b)(2), 23(b)(3) and (c)(4);

15 B. Designate Plaintiff as representative of the proposed Class and Plaintiff's  
16 counsel as counsel for the Class;

17 C. Award injunctive or any other equitable relief, to Plaintiff and the Class,  
18 requiring the Defendants to identify and remove child pornography and implement  
19 corporate-wide policies and practices to prevent continued dissemination of child  
20 pornography or child sex trafficking, including:

21 a. Content uploaders' accounts should be opened only with bank or credit  
22 card information, so that they can be identified.

23 b. Government-issued photo identification should be required for each  
24 person in a video, and it should be required that each person is at least eighteen years  
25 old.

26 c. Defendants should use facial recognition technology to verify that each  
27 performer in a video or image upload is legal.

28

1 d. Defendants should remove all images and videos of Plaintiff and Class  
2 members from their platforms, and archive them for use in this litigation.

3 e. Defendants should timely respond to all reports of child pornography, and  
4 proactively disable the streaming or downloading of reported videos without a human  
5 moderator.

6 f. Defendants should disable the “Download” button on videos so that they  
7 stop enabling sex traffickers dissemination of videos of Plaintiff and Class Members,  
8 causing future harm.

9 g. Defendants should send all government IDs that have been associated with  
10 any video or account to the databases maintained by States and the United States,  
11 including the FBI and the National Center for Missing and Exploited Children, so that  
12 sex offenders can be identified and sex-crime victims can be protected.

13 h. Defendants should use “video fingerprinting” technology to prevent and  
14 remedy the repeat upload of videos of Plaintiff’ and Class members’ rapes.

15 i. Defendants should use human moderators to screen each video and image  
16 for child pornography or trafficking of minors before this material is displayed or  
17 otherwise disseminated.

18 j. Defendants should adequately train individuals tasked with screening  
19 videos and images on identifying potential child pornography or trafficking.

20 k. Defendants should employ standards for screening for child pornography.

21 l. Defendants should promptly terminate any employees who have failed to  
22 fairly moderate material.

23 m. Defendants should adequately staff their moderation teams tasked with  
24 screening videos and images so that all videos are screened in their entirety.

25 n. Defendants should end the employee bonus program that is based on the  
26 raw number of videos approved per year.

27 o. Defendants should ban individuals who have uploaded child pornography  
28 or trafficking videos or images from having the ability to upload anything to a website



1 owned, controlled, or operated by Defendants ever again.

2 p. Defendants should limit the number of hours moderators or employees  
3 can review videos and images on a daily basis, so as to reduce the incidence of  
4 “employee burnout” or turnover relating to the traumatic nature of the work.

5 q. Defendants should refuse to publish videos and images that have been  
6 flagged or are suspected of containing child pornography or trafficking.

7 r. Defendants should immediately send all videos and images with suspected  
8 or confirmed child pornography or trafficking to NCMEC’s clearinghouse, along with  
9 all information available to identify perpetrators or victims.

10 D. Award all available damages including but not limited to compensatory  
11 and punitive damages in favor of Plaintiff and the Class; and

12 E. Award Plaintiff and the Class prejudgment interest, costs and attorneys’  
13 fees;

14 F. Require restitution and disgorgement of all profits and unjust enrichment  
15 obtained as a result of Defendants’ unlawful conduct; and

16 G. Retain jurisdiction of this matter to ensure all forms of relief it deems  
17 appropriate.

18 **JURY DEMAND**

19 Plaintiff hereby demands a trial by struck jury.

20  
21 Dated: August 14, 2024

Respectfully submitted,

22 **KAZEROUNI LAW GROUP, APC**

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**CERTIFICATE OF SERVICE**

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Kazerouni Law Group, APC, 245 Fischer Avenue, Unit D1, Costa Mesa, CA 92626. On August 14, 2024, I served the within document(s):

• **PLAINTIFF’S SECOND AMENDED CLASS ACTION COMPLAINT**

- CM/ECF - by transmitting electronically the document(s) listed above to the electronic case filing system on this date before 11:59 p.m. The Court’s CM/ECF system sends an e-mail notification of the filing to the parties and counsel of record who are registered with the Court’s CM/ECF system.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on August 14, 2024, at Costa Mesa, California.

/s/ Abbas Kazerounian  
Abbas Kazerounian

