



**WAKE COUNTY**  
PUBLIC SCHOOL SYSTEM

# **SOCIAL MEDIA LITIGATION: SCHOOL DISTRICTS**



**BAIRD  
MANDALAS  
BROCKSTEDT  
& FEDERICO <sup>LLC</sup>**

**Phil Federico**

[pfederico@bmbfclaw.com](mailto:pfederico@bmbfclaw.com)

**Matt Legg**

[mlegg@bmbfclaw.com](mailto:mlegg@bmbfclaw.com)



**Janet Ward Black**

[jwblack@wardblacklaw.com](mailto:jwblack@wardblacklaw.com)

# The Social Media Epidemic



Social media companies, through their platforms and algorithms, have perpetuated a youth mental health crisis which is negatively impacting our schools.

# Social Media – Youth Mental Health Crisis



## Social media has caused an ever-growing mental health crisis

- Peer reviewed scientific literature, as well as previously concealed studies by the Defendants themselves, has concluded that social media products cause mental health issues, including:
  - Anxiety
  - Depression
  - Suicidal ideation
  - Eating disorders
- School districts are on the frontlines of a nationwide youth mental health crisis fueled by addictive social media products.
- With so many youth in turmoil, schools have been forced to divert crucial resources to help students in need of mental health services.

# Social Media – Youth Mental Health Crisis



## These Companies' Practices:

- Everything about these products has been designed to addict teen and adolescent users, including:
  - Inadequate age verification measures;
  - Insufficient parental controls;
  - Endless scrolling;
  - Constant notifications;
  - Targeted algorithms.

# Social Media – Youth Mental Health Crisis



## Defendants



1) Meta  
(owner of Facebook & Instagram)



2) ByteDance  
(owner of Tik Tok)



3) Snap  
(owner of Snapchat)



YouTube 4) Google  
(owner of YouTube)

# Social Media – Youth Mental Health Crisis

## Why Litigation?

## Why Litigation?

1. As social media usage rises among school children, Meta, TikTok, Snap, and Google reap enormous profits by targeting children.
2. School Boards have been left to bear the costs of treating students affected by addiction and providing additional support services to affected students.
3. We plan to change how social media companies operate, in order to safeguard children and adolescents, who are their most vulnerable consumers. In addition, we seek to receive meaningful compensation for school boards for past, present and future expenses.



# Social Media – Youth Mental Health Crisis Damages

## Damages (Past and Future):

1. School Resources:
  - a. Resources and staff to address mental health needs from social media addiction.
  - b. Resources for parent and community education outreach.
  - c. Resources and staff for monitoring on-campus/extra-curricular events.
  - d. Resources, including staff, for on-campus education.
  - e. School discipline and suspensions.
2. Impact on School Personnel:
  - a. Teachers, administrators, and counselors.
  - b. School resource officers.
3. Abatement (examples):
  - a. Education (classes and materials).
  - b. Outreach programs (both student and parent).
  - c. Student forums.
  - d. Mental health support.



# Social Media – Youth Mental Health Crisis Considerations

## Considerations for North Carolina Public Schools:

- Low financial risk (25% contingency fee only upon successful recovery, costs advanced by counsel).
- Anticipate minimal investment of time (Plaintiff Fact Sheet). Unlike traditional litigation.
- Importance of leading the nationwide effort to fight for students, families, teachers, school administrators, and taxpayers.
- Additional financial resources for student support.
- Truth, transparency, and accountability.



# Social Media – Youth Mental Health Crisis

## Venue

- Multi-District Litigation
  - North Carolina Federal Court initially, to be transferred to the U.S. District Court for the Northern District of California for discovery and pre-trial purposes.
  - The MDL process oftentimes leads to successful resolution of multi-party, national litigation (e.g., JUUL).



# Social Media – Youth Mental Health Crisis Legal Counsel



## Our Legal Team Is:

Uniquely Positioned to Move School Districts' Claims Forward and Achieve the Best Result

- We have a track record of successful representation of governmental entities in MDLs (e.g., opioids, JUUL).
- Our co-counsel in this litigation, Lexi Hazam of Lief Cabraser Heimann & Bernstein, LLP, is one of three court appointed Co-Lead Counsel in the Social Media MDL.
- Why does that matter? It means that our team is uniquely situated to drive school district cases forward and is heavily involved in the day-to-day litigation of those cases and any eventual settlement discussions. Our legal team will have the current and most accurate information available throughout this litigation process.

# Social Media – Youth Mental Health Crisis Legal Counsel



## Our Current NC School Board Clients:

We currently represent more than 60 school boards across the U.S. consisting of well over 1 million students. We also represent the following North Carolina schools boards:

- Charlotte-Mecklenburg Schools
- Cumberland County Schools
- Union County Public Schools
- Johnston County Board of Education
- Pitt County Schools
- Wilson County Board of Education
- Robeson County Board of Education
- Wayne County Board of Education
- Moore County Board of Education
- Rockingham County Board of Education
- Clinton City Board of Education

# RECENT EXAMPLE: JUUL LABS LITIGATION

1,500 Government Entity Plaintiffs

Mostly school districts, but also some cities and counties

December 2022 Settlement with Juul Labs  
Defendants

*Wall Street Journal* report: \$1.7 billion

May 2023 Settlement with Altria (Philip Morris)  
Defendants

\$235 million

This benefitted a number of school boards in North Carolina in a meaningful way and played out in a way that is similar to how we expect this litigation to play out.

◆ WSJ NEWS EXCLUSIVE | BUSINESS

## Juul to Pay \$1.7 Billion in Legal Settlement

Settlement announced earlier this week covers more than 5,000 lawsuits

By [Jennifer Maloney](#) [Follow](#)

Updated Dec. 9, 2022 3:13 pm ET