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9 *Counsel for Plaintiff and the Proposed Class*

10
11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **FOR THE COUNTY OF LOS ANGELES**

14 TIM BURMAN, individually and on behalf
15 of all others similarly situated,

16 Plaintiff,

17 v.

18 META PLATFORMS, INC.,

19 Defendant.

Case No. **26STCV07570**

CLASS ACTION COMPLAINT

DEMAND FOR JURY TRIAL

1 Plaintiff Tim Burman (“Plaintiff”), individually and on behalf of all others similarly situated
2 (“Class Members”), by and through his undersigned counsel, brings this class action complaint against
3 Defendant Meta Platforms, Inc. (“Meta”) and Luxottica of America Inc. (“Luxottica” and, collectively
4 with Meta, “Defendant”).

5 **I. INTRODUCTION**

6 1. Defendant developed, advertised, and sold “smart” glasses integrated with cameras and
7 artificial intelligence software. Defendant advertises their Meta AI Glasses, sold under popular brands
8 such as Ray-Ban and Oakley, as “designed for privacy, controlled by you” and “built for your privacy.”
9 However, Defendant failed to disclose to American consumers that footage from Meta AI Glasses is
10 viewed and catalogued by overseas workers in a startling invasion of personal privacy.

11 2. Users never gave Defendant informed consent to track and store the camera footage on
12 their Meta AI Glasses. Nevertheless, Defendant did just that, using the integrated AI cameras to access
13 and exploit the recordings of users’ private lives, including footage taken without their knowledge and
14 consent from inside their homes and of their families.

15 3. Defendant’s deceptive and outrageous conduct violates its users’ reasonable
16 expectations of privacy. The intent and efforts of individuals to safeguard their private information
17 and communications must be respected. The ramifications of unauthorized access to this private video
18 footage can be severe, and individuals accordingly go to great lengths to safeguard the privacy of their
19 homes, and, in the case of parents and guardians, also that of their minor children.

20 4. While falsely characterizing their illusory privacy safeguards, Defendant deceptively
21 and unconscionably deprived and continues to deprive Plaintiff and Class Members of their privacy
22 rights in the footage captured by Meta AI Glasses. This is true not only for Plaintiff and Class
23 Members, but also for their children, whose privacy it also sought to protect.

24 5. Defendant’s conduct violates the California Invasion of Privacy Act (Cal. Pen. Code
25 §§ 630, et seq. (“CIPA”)), the California Computer Data Access and Fraud Act (Cal. Pen. Code § 502
26 (“CDAFA”)), the Stored Communications Act (18 U.S.C. § 2701, et seq. (“SCA”)), the California
27 Consumers Legal Remedies Act (Cal. Civ. Code § 1750, et seq. (“CLRA”)), the California Unfair
28 Competition Law (Cal. Bus. & Prof. Code § 17200, et seq. (“UCL”)), the California False Advertising

1 Law (Cal. Bus. & Prof. Code § 17500, et seq. (“FAL”)), and California’s Constitutional Right to
2 Privacy, and it constitutes an unlawful intrusion upon seclusion, a breach of contract, and unjust
3 enrichment.

4 **II. THE PARTIES**

5 6. Plaintiff Tim Burman is a California citizen who resides in Los Angeles County,
6 California. Plaintiff obtained Meta AI Glasses for personal use and relied on Defendant’s
7 advertisements that his privacy would be protected and that the footage recorded by the AI glasses
8 would be protected and remain private. Plaintiff values his privacy—and the privacy of his family and
9 friends—in the use of Meta AI Glasses and reasonably expected the footage recorded on them to
10 remain private. Despite this reasonable expectation, Defendant surreptitiously recorded, viewed, and
11 catalogued video footage from Plaintiff’s Meta AI Glasses without his knowledge or consent to track
12 Plaintiff’s activities and private life. Throughout the relevant time period, Plaintiff used his Meta AI
13 Glasses throughout the day, unaware that Defendant was tracking and monitoring the private footage
14 captured. In the interest of protecting his privacy and security, Plaintiff does not recite here the precise
15 activities that his Meta AI Glasses captured during the relevant time, but he does allege that the
16 following could be determined from that footage: financial information, employment information,
17 religious affiliations and activities, political affiliations and activities, medical care, the identities of
18 his family, friends, and other contacts, social habits and activities, eating habits, shopping habits, and
19 exercise habits.

20 7. Defendant Meta Platforms, Inc. is a Delaware corporation with its principal place of
21 business located in Menlo Park, California. On information and belief, Meta, in partnership with
22 Luxottica, advertises, markets, and sells the Meta AI Glasses throughout the United States. Meta is a
23 sophisticated applications developer in the business of commercializing personal data extracted from
24 the use of tools and services connected to the internet. As such, Meta is aware of and benefits from
25 the conduct described herein.

26 **III. JURISDICTION AND VENUE**

27 8. This Court has subject matter jurisdiction under California Code of Civil Procedure §
28 410.10.

1 9. This Court has personal jurisdiction over Defendant because it operates in and directs
2 commerce to California and within this County.

3 10. Venue is proper in this Court under California Code of Civil Procedure § 395(b)
4 because a substantial part of the events giving rise to this action occurred in this County, and Defendant
5 has harmed Plaintiff and Class Members residing in this County.

6 **IV. STATEMENT OF FACTS**

7 11. Defendant has and continues to advertise Meta AI Glasses as being rooted in privacy
8 and control for the consumer over the video and audio footage the glasses capture. Defendant dedicates
9 an entire website to the privacy features of Meta AI Glasses, including prominent slogans touting user
10 control over their privacy, such as:

- 11 • “Designed for privacy, controlled by you”;
- 12 • “You’re in control of your data and content”;
- 13 • “giving you control over what content you choose to share with others”;
- 14 • “Privacy Settings that matter”; and
- 15 • “Built for your privacy and others’ too”¹

16 12. Defendant prominently promotes the privacy and control associated with user’s
17 experience with Meta AI Glasses, indicating “You’re in control of your experience.”²

18 13. However, despite these prominent advertising promises, Meta AI Glasses capture and
19 store footage and certain AI features are required to remain “always on.”³

20 14. In addition to not being able to turn off certain tracking features despite Defendant’s
21 privacy promises, Defendant also is sharing data from Meta AI Glasses with third-party contractors,
22 including private, sensitive video footage. In particular, it has been reported that employees of Sama,
23 a Meta subcontractor, are fed this sensitive user data by Meta to track, view, and catalogue user
24

25 _____
¹ <https://www.meta.com/ai-glasses/privacy/>.

26 ² <https://www.meta.com/ai-glasses/oakley-meta/>.

27 ³ *Meta’s Controversial Data Policy on Ray-Ban Smart Glasses Sparks Privacy Debate*, OPENTOOLS,
28 May 1, 2025, <https://opentools.ai/news/metas-controversial-data-policy-on-ray-ban-smart-glasses-sparks-privacy-debate#section0>.

1 activity. What has resulted are reports by those employees of highly sensitive and private video clips
2 being viewed by them, including sexual activity, bathroom footage, and banking information.⁴

3 15. The data—including sensitive video footage—captured by Meta AI Glasses and shared
4 and viewed without user knowledge or informed consent is extremely valuable to Defendant, who
5 utilizes it to train and improve their AI models, and to profile their customers for targeted advertising.

6 16. Although reports to date have focused on Meta’s usage of this material to train and
7 improve its AI, the footage enables no doubt bolsters Meta’s massively lucrative advertising business
8 by allowing Defendant to cross-reference and conduct unlimited analysis toward unmerited, improper,
9 and monetizable insights into users’ private lives, including their social, professional, and other
10 relationships.

11 17. The collection and use of users’ private footage violates users’ reasonable expectations
12 of privacy, and also puts them at increased risk for further privacy violations. Data breaches and other
13 security vulnerabilities are increasingly common among companies that store user data. As a major
14 aggregator of valuable personally identifying and other information, Meta is an obvious target for
15 hackers. Any information that Meta stores from the AI Glasses’ recordings may eventually be stolen,
16 if it has not already been.

17 18. Each of the following acts defy social norms and invade reasonable privacy
18 expectations: tracking private video footage contrary to users’ consent, misleading users regarding
19 whether the AI Glasses’ footage will remain private, and failing to disclose how AI was monitoring,
20 tracking, and utilizing this private footage. Normally, mobile device and Internet users such as Plaintiff
21 are able to affirmatively control the flow of sensitive information about themselves through “settings”
22 and “permissions” that they grant, or withhold, from third parties, particularly private parties such as
23 Defendant. Plaintiff’s and Class Members’ expectations that those settings and permissions would be
24 heeded and effective, and that they could use Meta AI Glasses privately without being tracked by
25 Defendant, are eminently reasonable.

26 _____
27 ⁴ *She Came Out of the Bathroom Naked, Employee Says*, SVENSKA DAGBLADET, Feb. 27, 2026,
28 <https://www.svd.se/a/K8nrV4/met-as-ai-smart-glasses-and-data-privacy-concerns-workers-say-we-see-everything>.

1 19. Plaintiff and Class Members took specific steps to protect their private lives (as well as
2 the privacy of their minor children) and had a reasonable expectation that Defendant would not use AI
3 to monitor and track their private lives through video without their informed consent. Based on
4 Defendant’s representations and omissions, context, and industry norms, they expected Defendant to
5 heed and follow their instructions and, as a result, expected that their private video footage would be
6 private, not tracked and utilized by Meta’s AI tool for Defendant’s own benefit and to the detriment
7 of their personal privacy. Those reasonable expectations were consistent with sentiments that are
8 widely shared in American society and elsewhere, and grounded in long-standing social norms and
9 jurisprudence protecting privacy.

10 20. Invasion of privacy has been recognized as a common law tort for more than a century.
11 In *Griswold v. Connecticut*, 381 U.S. 479 (1965), the Supreme Court confirmed the primacy of privacy
12 rights, explaining that the Constitution operates in the shadow of a “right of privacy older than the Bill
13 of Rights.” For its part, California amended its constitution in 1972 to specifically enumerate a right
14 to privacy in its very first section. See Cal. Const. Art. I, § 1.

15 21. Meta itself has long acknowledged the importance of user control over privacy settings,
16 and indeed acknowledged as much in the privacy-focused advertising for the Meta AI Glasses.

17 22. According to a poll by the Pew Research Center, 93% of adults believe that being in
18 control of who can get information about them is important, and 90% believe that controlling what
19 information is collected about them is important.⁵ Additionally, Americans say they do not approve
20 of observation without consent: 88% say it is important that they not have someone watch or listen to
21 them without their permission.⁶

22 23. Not only were Defendant’s representations about privacy likely to deceive people,
23 Defendant did in fact deceive the millions of people who use Meta AI Glasses. Ordinary users,
24 including Plaintiff, reasonably expected that their video footage captured by Meta AI Glasses would

25 ⁵ Mary Madden and Lee Rainie, *Americans’ Attitudes About Privacy, Security and Surveillance*,
26 PEW RESEARCH CENTER (May 20, 2015), available at
27 <https://www.pewresearch.org/internet/2015/05/20/americans-attitudes-about-privacy-security-and-surveillance/>.

28 ⁶ *Id.*

1 not be tracked, viewed, and catalogued—not only by AI, but by actual human workers of Defendant
2 overseas—unless they affirmatively consented to such tracking.

3 24. Defendant’s misrepresentations continue, despite public reporting. The result is that
4 American consumers continue to be deceived by Defendant into purchasing Meta AI Glasses with the
5 mistaken belief that they have control over the data Meta AI Glasses collect and that their privacy is
6 being protected when they use Meta AI Glasses, when in fact their privacy is being violated and they
7 do not have control over how Defendant uses and shares their sensitive data.

8 **V. CLASS ALLEGATIONS**

9 25. Plaintiff brings this class action, pursuant to Code of Civil Procedure § 382,
10 individually and on behalf of all members of the following class, which is referred to throughout this
11 Complaint as the “Class”:

12 **All citizens of the State of California who purchased and used Meta AI Glasses**
13 **from Defendant.**

14 26. Excluded from each Class are the following individuals: officers and directors of
15 Defendant and its parents, subsidiaries, affiliates, any entity in which Defendant has a controlling
16 interest, and all judges assigned to hear any aspect of this litigation, as well as their immediate family
17 members.

18 27. Plaintiff reserves the right to modify or amend the Class definition before the Court
19 determines whether certification is appropriate.

20 28. This action readily satisfies the requirements for a class action:

21 a. Each Class is so numerous that joinder of all Members is impracticable. Upon
22 information and belief, Class Members number in the thousands.

23 b. There are questions of law or fact common to the Class. These questions
24 include, but are not limited to, the following:

25 i. Whether Defendant’s acts and practices complained of herein amount
26 to the use of “an electronic amplifying or recording device to eavesdrop upon or record” confidential
27 communications in violation of CIPA;
28

1 ii. Whether Defendant’s acts and practices complained of herein amount
2 to “tampering, interference, damage, and unauthorized access to lawfully created computer data and
3 computer systems” in violation of CDAFA;

4 iii. Whether Defendant’s acts and practices complained of herein amount
5 to unlawful, unfair, and/or fraudulent practices in violation of the UCL;

6 iv. Whether Defendant’s acts and practices complained of herein amount
7 to false advertising in violation of the FAL;

8 v. Whether Defendant’s acts and practices complained of herein amount
9 to misleading conduct in violation of the CLRA;

10 vi. Whether Defendant’s acts and practices complained of herein amount
11 to a breach of contract;

12 vii. Whether Defendant’s acts and practices complained of herein amount
13 to egregious breaches of social norms;

14 viii. Whether Defendant acted intentionally in violating Plaintiff’s and Class
15 Members’ privacy rights;

16 ix. Whether Defendant was unjustly enriched;

17 x. Whether an injunction should issue; and

18 xi. Whether declaratory relief should be granted.

19 c. Plaintiff’s claims are typical of the claims of the Class. Plaintiff and Class
20 Members purchased and used Meta AI Glasses that they recorded video footage they thought was
21 private and not being tracked, viewed, and catalogued by Defendant. Despite these efforts and contrary
22 to Defendant’s representations, Plaintiff and Class Members nonetheless had their private video
23 footage tracked, viewed, and catalogued by Defendant. Plaintiff and Class Members did not consent
24 to Defendant tracking of their private videos, which forms the basis for this suit.

25 d. Moreover, like all Class Members, Plaintiff suffered a substantial risk of
26 repeated injury in the future. Defendant has shown deliberate indifference to Plaintiff’s and Class
27 Members’ desire to keep their video footage private, and has indeed taken pains to deceive and mislead
28 Plaintiff (and all Class Members) and to conduct its business contrary to their privacy rights, and

1 contrary to the plain meaning of its own terms of service in favor of surreptitiously and deceitfully
2 monitoring their private communications. Defendant's deceptive and deliberate actions have thwarted
3 and continue to threaten Plaintiff's (and Class Members') ability to exercise control over their own
4 privacy while using Meta AI Glasses. Because the conduct complained of herein is systemic, Plaintiff
5 and Class Members face substantial risk of the same injury in the future. Defendant's conduct is
6 common to all Class Members and represents a common pattern of conduct resulting in injury to all
7 Class Members. Plaintiff have suffered the harm alleged and have no interests antagonistic to any
8 other Class member.

9 e. Plaintiff will fairly and adequately protect the interests of the Class. Plaintiff's
10 interests do not conflict with the interests of the Class Members. Furthermore, Plaintiff has retained
11 competent counsel experienced in class action litigation, consumer protection litigation, and electronic
12 privacy litigation. Plaintiff's counsel will fairly and adequately protect and represent the interests of
13 the Class.

14 f. In acting as alleged above, and in failing and refusing to cease and desist despite
15 being exposed, Defendant has acted on grounds generally applicable to the entire Class, thereby
16 making final injunctive relief and corresponding declaratory relief each appropriate with respect to the
17 Class as a whole. The prosecution of separate actions by individual Class Members would create the
18 risk of inconsistent or varying adjudications with respect to individual Class Members that would
19 establish incompatible standards of conduct for Defendant.

20 g. Injunctive relief is necessary to prevent further unlawful and unfair conduct by
21 Defendant. Money damages, alone, could not afford adequate and complete relief, and injunctive relief
22 is necessary to restrain Defendant from continuing to commit their illegal and unfair violations of
23 privacy.

24 **VI. CAUSES OF ACTION**

25 **Count One**
26 **(Violations of CIPA, Cal. Pen. Code §§ 630, et seq.)**

27 29. Plaintiff incorporates all preceding factual allegations as if fully set forth here.
28

1 30. Cal. Pen. Code § 630 provides that “[t]he Legislature hereby declares that advances in
2 science and technology have led to the development of new devices and techniques for the purpose of
3 eavesdropping upon private communication and that the invasion of privacy resulting from the
4 continual and increasing use of such devices and techniques has created a serious threat to the free
5 exercise of personal liberties and cannot be tolerated in a free and civilized society.”

6 31. Defendant’s acts and practices complained of herein, engaged in for purposes of
7 tracking, viewing, and cataloguing the private video footage of its users without their consent—and
8 indeed in direct contravention of Defendant’s own advertisements promising the privacy of that
9 footage—violated and continues to violate Cal. Pen. Code § 632.

10 32. Cal. Pen. Code § 632 prohibits the use of “an electronic amplifying or recording device
11 to eavesdrop upon or record [a] confidential communication, whether the communication is carried on
12 among the parties in the presence of one another or by means of a telegraph, telephone, or other device
13”

14 33. In direct violation of this prohibition and without the consent of Plaintiff or Class
15 Members, Defendant has been using AI technology to eavesdrop and record the confidential videos of
16 Plaintiff and Class Members on Meta AI Glasses.

17 34. Defendant accessed or caused to be accessed Plaintiff’s and Class Members’ private
18 communications from California. On information and belief, Meta uses servers located in California
19 that allow Defendant to access private communications of Plaintiff and Class Members. Meta’s terms
20 of service indicate that California law controls the use of its services.

21 35. As a result of Defendant’s violations of Cal. Pen. Code § 632, Plaintiff and Class
22 Members are entitled to the following relief:

- 23 a. A declaration that Defendant’s conduct violates CIPA;
24 b. Statutory damages and/or trebled actual damages;
25 c. Injunctive relief in the form of, inter alia, an order enjoining Defendant from
26 continuing to access Class Members’ private communications in violation of CIPA;

1 d. Injunctive relief in the form of, inter alia, an order requiring Defendant to
2 destroy all data created or otherwise obtained from its illegal tracking of Class Members' private
3 communications; and

4 e. An award of attorney's fees and costs of litigation as provided by CIPA, the
5 private attorney general doctrine existing at common law and also codified at California Civil Code
6 Section 1021.5, and all other applicable laws.

7
8 **Count Two**
(Intrusion Upon Seclusion)

9 36. Plaintiff incorporates all preceding factual allegations as if fully set forth here.

10 37. Plaintiff and Class Members have reasonable expectations of privacy in the video
11 footage from their Meta AI Glasses. Plaintiff's and Class Members' private affairs include private
12 communications and events captured in this footage.

13 38. The reasonableness of such expectations of privacy is supported by Defendant's unique
14 position to monitor Plaintiff's and Class Members' private communications and lives through its
15 access to Plaintiff's and Class Members' Meta AI Glasses footage. It is further supported by the
16 surreptitious nature of Defendant's tracking.

17 39. Defendant intentionally intruded on and into Plaintiff's and Class Members' solitude,
18 seclusion, or private affairs by intentionally using AI video footage to track their private lives and
19 communications.

20 40. These intrusions are highly offensive to a reasonable person. The video footage
21 captured on Meta AI Glasses are reasonably considered private. Moreover, Defendant engaged in AI
22 and human tracking deceptively and without the informed consent of Plaintiff and Class Members.
23 Also supporting the highly offensive nature of Defendant's conduct is the fact that surreptitiously
24 tracked this footage without informing or obtaining the consent of Plaintiff and Class Members while
25 simultaneously advertising Meta AI Glasses as being "designed for privacy, controlled by you."

26 41. Plaintiff and Class Members were harmed by the intrusion into their private affairs as
27 detailed throughout this Complaint.

1 damages because Defendant’s actions—which were malicious, oppressive, and willful—were
2 calculated to injure Plaintiff and Class Members and made in conscious disregard of Plaintiff’s and
3 Class Members’ privacy rights. Punitive damages are warranted to deter Defendant from engaging in
4 future misconduct.

5 **Count Four**
6 **(Violations of CDAFA, Cal. Pen. Code § 502)**

7 51. Plaintiff incorporates all preceding factual allegations as if fully set forth here.

8 52. The California legislature enacted CDAFA with the intent of “expand[ing] the degree
9 of protection afforded to individuals . . . from tampering, interference, damage, and unauthorized
10 access to lawfully created computer data and computer systems.” Cal. Penal Code §502(a). The
11 enactment of CDAFA was motivated by the finding that “the proliferation of computer technology has
12 resulted in a concomitant proliferation of . . . unauthorized access to computers, computer systems,
13 and computer data.” *Id.*

14 53. Plaintiff’s and Class Members’ Meta AI Glasses constitute “computers” within the
15 scope of CDAFA.

16 54. Defendant violated the following sections of CDAFA:

17 a. Section 502(c)(1), which makes it unlawful to “knowingly access[] and without
18 permission . . . use[] any data, computer, computer system, or computer network in order to either (A)
19 devise or execute any scheme or artifice to defraud, deceive, or extort, or (B) wrongfully control or
20 obtain money, property, or data;”

21 b. Section 502(c)(2), which makes it unlawful to “knowingly accesses and without
22 permission takes, copies, or makes use of any data from a computer, computer system, or computer
23 network, or takes or copies any supporting documentation, whether existing or residing internal or
24 external to a computer, computer system, or computer network;” and

25 c. Section 502(c)(7), which makes it unlawful to “knowingly and without
26 permission accesses or causes to be accessed any computer, computer system, or computer network.”
27
28

1 55. Defendant knowingly accessed Plaintiff’s and Class Members’ video footage captured
2 by Meta AI Glasses without their permission by surreptitiously tracking, viewing, and cataloguing
3 data, communications, and personal information concerning Plaintiff and Class Members.

4 56. Defendant used data, communications, and personal information that it intercepted and
5 took from Plaintiff’s and Class Members’ Meta AI Glasses to wrongfully and unjustly enrich
6 themselves at the expense of Plaintiff and Class Members.

7 57. Defendant took, copied, intercepted, and made use of data, communications, and
8 personal information from Plaintiff’s and Class Members’ Meta AI Glasses.

9 58. Defendant knowingly and without Plaintiff’s and Class Members’ permission accessed
10 or caused to be accessed their video footage captured by Meta AI Glasses by surreptitiously
11 intercepting and/or taking data, communications, and personal information concerning Plaintiff and
12 Class Members.

13 59. Defendant accessed or caused to be accessed Plaintiff’s and Class Members’ data,
14 communications, and personal information from California. On information and belief, Meta uses
15 servers located in California that allow Defendant to access and process the data, communications and
16 personal information concerning Plaintiff and Class Members. Meta’s terms of service indicate that
17 California law controls the use of its services.

18 60. Defendant was unjustly enriched by intercepting, acquiring, taking, or using Plaintiff’s
19 and Class Members’ data, communications, and personal information without their permission, and
20 using it for Defendant’s own financial benefit. Defendant has been unjustly enriched in an amount to
21 be determined at trial.

22 61. As a direct and proximate result of Defendant’s violations of CDAFA, Plaintiff and
23 Class Members suffered damages.

24 62. Pursuant to CDAFA Section 502(e)(1), Plaintiff and Class Members seek
25 compensatory, injunctive, and equitable relief in an amount to be determined at trial.

26 63. Pursuant to CDAFA Section 502(e)(2), Plaintiff and Class Members seek an award of
27 reasonable attorney’s fees and costs.

28

1 78. Under the “unlawful” prong of the UCL, a violation of another law is treated as unfair
2 competition and is independently actionable.

3 79. Defendant committed unlawful practices because it violated, inter alia, CIPA, CDAFA,
4 SCA, FAL, and CLRA. Defendant’s conduct as alleged herein is both unfair and deceptive.

5 80. Plaintiff reserves the right to allege other violations of law which constitute other
6 unlawful business acts or practices as Defendant’s conduct is ongoing and continues to this date.

7 81. Under the “unfair” prong of the UCL, a business practice is unfair if that practice
8 offends an established public policy or when the practice is immoral, unethical, oppressive,
9 unscrupulous or substantially injurious to consumers.

10 82. Defendant committed unfair acts and practices by, inter alia, invading Plaintiff’s and
11 Class Members’ privacy while falsely advertising that their privacy would be protected.

12 83. Defendant’s acts and practices are unfair because the gravity of the consequences of
13 Defendant’s conduct as described above outweighs any justification, motive or reason, particularly
14 considering that Defendant violated privacy while simultaneously advertising how it would protect
15 privacy. Defendant’s acts and practices are also immoral, unethical, unscrupulous, and offend
16 established public policy and are substantially injurious to Plaintiff and Class Members.

17 84. Defendant violated the fraudulent prong of the UCL by misleading Plaintiff and Class
18 Members to believe that their privacy would be protected when recording video footage on Meta AI
19 Glasses.

20 85. Plaintiff and Class Members acted reasonably when they purchased Meta AI Glasses
21 from Defendant on the belief that their privacy rights would not be violated.

22 86. As a result of Defendant’s unlawful, unfair, and fraudulent business practices, Plaintiff
23 and Class Members have suffered an injury in fact and have lost money in an amount to be determined
24 at the trial of this action.

25 87. Plaintiff and Class Members are entitled to an order pursuant to Cal. Bus. & Prof Code
26 § 17203, enjoining Defendant’s unlawful and unfair conduct, and such other orders and judgments
27 necessary to disgorge Defendant’s ill-gotten gains and to restore to Plaintiff and Class Members any
28 amounts assessed and/or paid as a result of Defendant’s wrongful conduct.

Count Seven
(Violations of the FAL, Cal. Bus. & Prof. Code § 17500, et seq.)

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2
3 88. Plaintiff incorporates all preceding factual allegations as if fully set forth here.

4 89. California’s False Advertising Law (the “FAL”), Cal. Bus. & Prof. Code §§ 17500, et
5 seq., makes it “unlawful for any person to make or disseminate or cause to be made or disseminated
6 before the public in this state, . . . in any advertising device . . . or in any other manner or means
7 whatever, including over the Internet, any statement, concerning . . . personal property or services,
8 professional or otherwise, or performance or disposition thereof, which is untrue or misleading and
9 which is known, or which by the exercise of reasonable care should be known, to be untrue or
10 misleading.”

11 90. Defendant advertised and promoted Meta AI Glasses by promising consumers that they
12 would be in control of the video footage recorded by the glasses and their privacy would be protected.
13 Defendant’s advertisements and inducements were made in and originated from California and fall
14 within the definition of advertising as contained in the FAL in that they were intended to induce
15 consumers to purchase Meta AI Glasses. Defendant knew that those statements were false and
16 misleading when it made them and surreptitiously tracked, viewed, and catalogued Plaintiff’s and
17 Class Members’ footage.

18 91. Defendant’s advertising that it would protect user’s privacy was false and misleading
19 to a reasonable consumer, including Plaintiff, because Defendant in fact violated user’s privacy by
20 tracking, viewing, and cataloguing video footage from their Meta AI Glasses.

21 92. Defendant knew or should have known, through the exercise of reasonable care, that
22 their statements about Meta AI Glasses were false and misleading.

23 93. Plaintiff and Class Members lost money or property as a result of Defendant’s FAL
24 violations because (a) they would not have purchased Meta AI Glasses absent Defendant’s
25 representations that they would be in control of the privacy of their video footage; (b) they would not
26 have purchased Meta AI Glasses on the same terms absent Defendant’s misrepresentations; (c) they
27 paid a price premium for tickets based on Defendant’s misrepresentations; and/or (d) Defendant’s
28 Meta AI Glasses did not have the characteristics, benefits, or quantities as promised.

1 **VII. PRAYER FOR RELIEF**

2 WHEREFORE, Plaintiff requests that judgment be entered against Defendant and that the
3 Court grant the following:

4 A. An order determining that this action may be maintained as a class action, that Plaintiff
5 is a proper class representative, that Plaintiff's attorneys shall be appointed as Class counsel pursuant
6 to Code of Civil Procedure § 382, and that Class notice be promptly issued;

7 B. Judgment against Defendant for Plaintiff's and Class Members' asserted causes of
8 action;

9 C. Appropriate declaratory relief against Defendant;

10 D. Injunctive relief in the form of, *inter alia*, an order enjoining Defendant from
11 continuing its practice of accessing, using, and/or storing Plaintiff's and Class Members' private
12 communications without their knowledge or consent in violation of CIPA, CDAFA, and/or SCA;

13 E. Injunctive relief in the form of, *inter alia*, an order enjoining Defendant from
14 continuing its practice of tracking, recording, and using Plaintiff's and Class Members' private
15 communications;

16 F. An order awarding Plaintiff and the Class Members damages, special damages, general
17 damages, and restitution;

18 G. An order requiring Defendant to pay punitive damages and exemplary damages;

19 H. An order requiring Defendant to pay pre-judgment and post-judgment interest;

20 I. Reasonable attorney's fees and costs reasonably incurred; and

21 J. Any and all other and further relief to which Plaintiff and the Class may be entitled.

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1 **VIII. DEMAND FOR JURY TRIAL**

2 Plaintiff hereby demands a trial by jury of all issues so triable.

3
4 Dated: March 8, 2026

Respectfully submitted,

5
6 /s/ Tina Wolfson

7 Tina Wolfson (SBN 174806)
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